

**HOUSE JOURNAL
63RD LEGISLATURE
FIRST LEGISLATIVE DAY**

Helena, Montana
January 7, 2013

House Chambers
State Capitol

Pursuant to the Constitution of the State of Montana, at the hour of 12:00 noon, the House of Representatives of the 63rd Legislature of the State of Montana was called to order by the Honorable Linda McCulloch, Secretary of State of the State of Montana.

The Montana Army Reserve posted the colors. Secretary McCulloch led the Pledge of Allegiance to the Flag. Invocation was given by Pastor Chuck Houk from The Crossing Church in Helena, Montana.

Secretary McCulloch thanked Pastor Houk and the Montana Army Reserve.

Chief Clerk Lindsey Grovom called the roll of members of the House of Representative of the 63rd Legislature.

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District 1, Jerry Bennett
District 2, Mike Cuffe
District 3, Jerry O'Neil
District 4, Ed Lieser
District 5, Keith Regier
District 6, Carl Glimm
District 7, Randy Brodehl
District 8, Steve Lavin
District 9, Scott Reichner
District 10, Mark Blasdel
District 11, Greg Hertz
District 12, Daniel Salomon
District 13, Pat Ingraham
District 14, Nicholas Schwaderer
District 15, Forrestina (Frosty) Calf Boss Ribs
District 16, Lea Whitford
District 17, Christy Clark
District 18, Jesse O'Hara
District 19, Roger Hagan
District 20, Steve Fitzpatrick
District 21, Jean Price
District 22, Casey Schreiner
District 23, Cydnie (Carlie) Boland
District 24, Brian Hoven
District 25, Tom Jacobson
District 26, Robert Mehlhoff
District 27, Rob Cook

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District 28, Roy Hollandsworth
District 29, Ryan Osmundson
District 30, Bill Harris
District 31, Bridget Smith
District 32, Clarena Brockie
District 33, Kristin Hansen
District 34, Wendy Warburton
District 35, Mike Lang
District 36, Austin Knudsen
District 37, David Halvorson
District 38, Alan Doane
District 39, Lee Randall
District 40, Bill McChesney
District 41, Rae Peppers
District 42, Carolyn Pease-Lopez
District 43, Duane Ankney
District 44, Jonathan McNiven
District 45, Tom Berry
District 46, Clayton Fiscus
District 47, Daniel Zolnikov
District 48, Doug Kary
District 49, Mary McNally
District 50, Dennis Lenz
District 51, Kelly McCarthy
District 52, Virginia Court
District 53, Dave Hagstrom
District 54, Margaret (Margie) MacDonald
District 55, Cary Smith
District 56, Donald Jones
District 57, Sarah Laszloffy
District 58, Krayton Kerns
District 59, Joanne Blyton
District 60, David Howard
District 61, Alan Redfield
District 62, Reilly Neill
District 63, Franke Wilmer
District 64, Tom Woods
District 65, Kathleen Williams
District 66, JP Pomnichowski
District 67, Gordon Vance
District 68, Kelly Flynn
District 69, Ted Washburn
District 70, Kerry White
District 71, Ray Shaw
District 72, Jeffrey Welborn

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District 73, Pat Noonan
District 74, Ryan Lynch
District 75, Edith (Edie) McClafferty
District 76, Amanda Curtis
District 77, Kirk Wagoner
District 78, Steve Gibson
District 79, Chuck Hunter
District 80, Liz Bangerter
District 81, Galen Hollenbaugh
District 82, Jenny Eck
District 83, Wylie Galt
District 84, Mike Miller
District 85, Gordon Pierson
District 86, Kathy Swanson
District 87, Pat Connell
District 88, Ron Ehli
District 89, Nancy Ballance
District 90, Edward Greef
District 91, David (Doc) Moore
District 92, Bryce Bennett
District 93, Douglas Coffin
District 94, Ellie Boldman Hill
District 95, Tom Steenberg
District 96, Carolyn Squires
District 97, Nancy Wilson
District 98, Jenifer Gursky
District 99, Kimberly Dudik
District 100, Champ Edmunds

Roll Call. All members present, except Representative O'Hara, excused. Quorum present.

Linda McCulloch, Secretary of State of the State of Montana, extended greetings to the members on behalf of the State of Montana and then delivered the following speech:

Good morning and welcome to Day One of Montana's 63rd Legislative Session. Welcome to Helena and if it is your first Session as a Legislator, welcome to the "People's House."

I'd like to introduce you to my Goddaughters who are visiting today and helping me open today's House Session. Please welcome Katelyn Weldon and Helen Weldon. They are from Billings. Some of you might remember their father, former State Senator Jeff Weldon. Welcome to the House, Katelyn and Helen!

Sixteen years ago in the 54th Legislative Session, I sat in your seat, Rep. Court, and then in later sessions, your seat, Rep. Neill.

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In that 54th Session, I served with: Lieutenant Governor John Bohlinger (Seat: Rep. O'Neil, 1995-1997); Former Lieutenant Governor Karl Ohs (Seats: Rep. Gibson 1995, Rep. McGillvray 1997-1999); Governor Schweitzer's Budget Director David Ewer (Seat: Rep. Reinhart, 1995); Public Service Commissioner Brad Molnar; (Seat: Rep. Loney 1995-97, Rep. MacLaren 1999); Rep. Squires (Seat: Rep. Frank Smith 1995 and, Rep. Edmunds 1997-99) The stories I could tell about Rep. Squires back in the olden days....

It seems to me a good time to start to get to know your fellow Legislators and start to build your own stories and fond memories of your Legislative experience.

Let's take a minute and start to build some collegial relationships:

How many of you are first time Legislators, House or Senate? (raise your hands, keep them raised and look around at your colleagues)

How many of you are serving in the Legislature after a pause of two or more years?

***Anybody have a family member right now serving in either the House or the Senate?

Did any of you serve as a page in your earlier years?

Did any of you visit this Capitol back in the day as a student on a field trip?

How many of you drove more than 250 miles to get here to Helena for today?

How many of you have served as an elected official in another capacity other than the Legislature (i.e. school board, mayor, county commissioner, etc.)?

I remember the opening of my first Legislative Session. I walked into this chamber wondering what would be accomplished. Would my bills pass? What would be the final outcome of the Session?

Folks in this chamber and around Montana are wondering what will be the outcome of the 63rd Legislative Session. What will this Legislature be known for? History does keep track of each Legislative Session, some more prominently than others.

Will this chamber be known for compromising, or for bickering?

Will party-line votes outweigh bipartisan support?

And will you and your constituents be proud of the work that's accomplished?

One of the early lessons I learned in public service as a young teacher is "Just because you have the right to do something, doesn't mean it's the right thing to do." Just because one party has the votes to outweigh another party, doesn't mean they should abuse their authority, just because another party has the power of the veto, doesn't mean they should rely on it, and just because you have all been elected to serve your constituents, doesn't mean you should forget your neighbors.

I think this is such an important message that many years ago I typed it on construction paper, using my Apple IIE computer. I hung it on a wall in my classroom, I brought it with me to each Legislative Session, it hung in my office at OPI and now you will find it in my office downstairs at the Secretary of State's Office. It's just that important of a message. Just because you have the right to do something, doesn't mean it's the right thing to do.

What matters most in the next 90 days, is that each of you has the power to do good work for

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the people of Montana. No one back home sends you here for negative reasons. Regardless, of whether they voted for you or not, they want you to do good for the people of Montana...all the people of Montana.

My first session in the House looked a lot like this one. Republicans held a majority over Democrats: 67 to 33. Your demographics are similar this Session with 61 Republicans and 39 Democrats. In that 1995 Session the Governor was a Republican. He is a Democrat this year.

Despite a 2 to 1 stronghold, both parties worked well together. Many of us - on both sides of the aisle - were able to pass our bills with strong support. Sure, we disagreed. But we respected each other and considered all opinions before making a decision. Compromise happened then, it's happened since then, and you all have the power to ensure it happens in the next 90 days.

You are in this room because your constituents believe in your ability to reason, to work through disagreements, and to approach policy making in a civil manner.

They want you to not only stand firm in your beliefs, but also to remember that you work for them - THEIR beliefs matter most.

Let's start this session on more than just a promise to work together. Let's start on the other side of the aisle...Literally! Please stand up. Now I want you to walk across the aisle - and introduce yourself to someone from a different party. Preferably someone whom you do not know. I want you to introduce yourself, shake hands or hug three people not from your own party. You absolutely cannot come back to your own seat until you have met at least three Legislators NOT from your own party. Now get busy!

At the end of the day, it's not about Democrat ideas or Republican ideas. It's about ideas that help Montanans. It's about supporting the good ideas, the fair ideas. Remember the issues. Remember the people you work for. Remember: Just because you have the right to do something, doesn't mean it's the right thing to do. And remember that you're on TV! Montanans are watching. Please join me in waving to the Montana school kids all over the state who are watching this ceremony today!

What will the 63rd Montana Legislature be known for? The 100 of you sitting in this historic chamber in the seats of past Legislators will decide. The people of Montana await your decisions.

Secretary of State McCulloch introduced the Honorable Jim Rice of the Montana Supreme Court. Representative McNiven and Representative Noonan escorted Justice Rice into the chamber.

Justice Rice administered the following oath of office:

"I do solemnly swear that I will support, protect and defend the Constitution of the United States and the Constitution of the State of Montana, and that I will discharge the duties of my office as a Montana State Representative with fidelity so help me God."

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Secretary of State McCulloch thanked Chief Justice Rice, and informed the members of the House of Representatives that he had been advised that all oaths of office had been signed and received. These were presented to Justice Rice for his acknowledgment and then filed in the Secretary of State's office.

Secretary of State McCulloch called for nominations for the office of the Speaker of the House. Representative Vance nominated Representative Blasdel. Representative Chuck Hunter moved that the nominations be closed. Motion carried.

Secretary of State McCulloch declared that Representative Blasdel has been duly elected Speaker of the House of Representatives for the 63rd Legislature. Representatives Lavin and McChesney escorted Speaker Blasdel to the rostrum.

Speaker Blasdel thanked Secretary McCulloch, Justice Rice, and Pastor Houk on behalf of the House. Representatives McNiven and Noonan escorted Secretary of State McCulloch from the House Chambers.

Speaker Blasdel addressed the House.

Majority Leader Vance moved the following individuals be nominated as officers of the House of Representatives: Chief Clerk - Lindsey Grovom, Sergeant-at-Arms - Carl Spencer. The House Officers were appointed by unanimous consent.

Representative Vance moved that Representative Knudsen be nominated as Speaker Pro-Tem of the House of Representatives. Representative Knudsen was unanimously elected.

Chief Clerk Grovom read the following announcements from the Caucus:

"This is to advise you that the caucuses have elected the following officials:

House Majority Leader - Representative Gordon Vance

House Minority Leader - Representative Chuck Hunter

House Majority Whips - Representative Cary Smith, Representative Christy Clark,
Representative Jeff Welborn, and Representative Mike Cuffe.

House Minority Whips - Representative Edie McClafferty and Representative Margie MacDonald.

House Minority Caucus Chair - Representative Bryce Bennett.

House Majority Leader Vance addressed the House.

House Minority Leader Hunter addressed the House.

House Majority Leader Vance moved that the House rules contained in House Resolution No. 1 be adopted as the temporary House operating rules of the 63rd Legislature. Motion carried.

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House Majority Leader Vance moved that the Joint rules contained in Senate Joint Resolution No. 1 be adopted as the temporary joint operating rules of the 63rd Legislature. Motion carried.

Majority Leader Vance moved that the Speaker appoint a committee of two members to notify the Governor, that the House is now organized and ready to do business. Motion carried. Speaker Blasdel appointed Representative Bangerter and Representative Mehlhoff.

Majority Leader Vance moved that the Speaker appoint a committee of two members to notify the Senate that the House is now organized and ready to do business. Motion Carried. Speaker Blasdel appointed Representative Fitzpatrick and Representative Pease-Lopez.

Majority Leader Vance moved that the Speaker appoint a committee of two members to notify the Supreme Court by letter that the House is now organized and ready to do business. Motion carried. Speaker Blasdel appointed Representative Reichner and Representative Williams.

Speaker directed the House to stand at ease to await the report of the Select Committee from the Senate and the three Select Committees of the House.

A committee from the Senate composed of Senator Rosendale, Senator Arntzen, Senator Driscoll, and Senator Phillips were admitted and reported to the House that the Senate was organized and ready for any legislation the House might care to send.

The committee appointed to notify the Senate that the House is organized and ready to do business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Governor that the House is organized and ready to do business reported it had done so. The committee was thanked and discharged.

The committee appointed to notify the Supreme Court that the House is organized and ready to do business reported it had done so. The committee was thanked and discharged.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committee:

HB 1, introduced by Ankney (by request of the Legislative Council), referred to Appropriations.

HB 2, introduced by Ankney (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 3, introduced by Ankney (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 4, introduced by Ankney (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 5, introduced by Ankney (by request of the Office of Budget and Program Planning), referred to Appropriations.

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HB 6, introduced by Cook (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 7, introduced by Cook (by request of the Department of Natural Resources and Conservation and the Office of Budget and Program Planning), referred to Appropriations.

HB 8, introduced by Cook (by request of Department of Natural Resources and Conservation, the Office of Budget and Program Planning), referred to Appropriations.

HB 9, introduced by Hollandsworth (by request of the Montana Arts Council and the Office of Budget and Program Planning), referred to Appropriations.

HB 10, introduced by Pomnichowski (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 11, introduced by Gibson (by request of the Department of Commerce, the Department of Natural Resources and Conservation, the Office of Budget and Program Planning), referred to Appropriations.

HB 12, introduced by Pease-Lopez (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

HB 13, introduced by Swanson (by request of the Department of Administration and the Office of Budget and Program Planning), referred to Appropriations.

HB 14, introduced by Hollenbaugh (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 15, introduced by McClafferty (by request of the Department of Commerce, the Office of Budget and Program Planning), referred to Appropriations.

HB 16, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 17, introduced by Hill (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 18, introduced by Hollenbaugh (by request of the Legislative Finance Committee), referred to Appropriations.

HB 19, introduced by Hollandsworth (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 20, introduced by Cook (by request of the Legislative Finance Committee), referred to Appropriations.

HB 21, introduced by Cook (by request of the Legislative Finance Committee), referred to Appropriations.

HB 22, introduced by Dudik (by request of the State Auditor), referred to Business and Labor.

HB 23, introduced by B. Bennett (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

HB 24, introduced by Ankney (by request of the Environmental Quality Council), referred to Natural Resources.

HB 25, introduced by Gibson (by request of the Legislative Finance Committee), referred to Appropriations.

HB 26, introduced by Washburn, referred to Fish, Wildlife and Parks.

HB 27, introduced by Washburn, referred to Fish, Wildlife and Parks.

HB 28, introduced by Bangerter (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

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HB 29, introduced by Washburn, referred to Fish, Wildlife and Parks.

HB 30, introduced by Washburn, referred to State Administration.

HB 31, introduced by Washburn, referred to Fish, Wildlife and Parks.

HB 32, introduced by Hollandsworth (by request of the Department of Revenue), referred to Taxation.

HB 33, introduced by Washburn, referred to Fish, Wildlife and Parks.

HB 34, introduced by Boland (by request of the Department of Administration), referred to Appropriations.

HB 35, introduced by Miller (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 36, introduced by Boland (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 37, introduced by McChesney (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 38, introduced by Ingraham (by request of the Department of Administration and the State Library Commission), referred to State Administration.

HB 39, introduced by McChesney (by request of the Office of Public Instruction), referred to Education.

HB 40, introduced by Dudik (by request of the Office of Public Instruction), referred to Education.

HB 41, introduced by Squires (by request of the Economic Affairs Interim Committee), referred to State Administration.

HB 42, introduced by Regier, referred to Judiciary.

HB 43, introduced by Lavin (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 44, introduced by Lavin (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 45, introduced by Lavin (by request of the Law and Justice Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

HB 46, introduced by Ingraham (by request of the Commissioner of Political Practices), referred to State Administration.

HB 47, introduced by McClafferty (by request of the Education and Local Government Interim Committee), referred to Local Government.

HB 48, introduced by McChesney (by request of the State Auditor), referred to Business and Labor.

HB 49, introduced by Ingraham, referred to Taxation.

HB 50, introduced by Howard, referred to Judiciary.

HB 51, introduced by Edmunds (by request of the Department of Military Affairs), referred to State Administration.

HB 52, introduced by Lieser (by request of the Department of Agriculture), referred to Education.

HB 53, introduced by Ingraham (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

HB 54, introduced by Ingraham (by request of the Teachers' Retirement Board), referred to

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State Administration.

HB 55, introduced by Knudsen (by request of the Public Service Commission), referred to Transportation.

HB 56, introduced by Noonan (by request of the Department of Revenue), referred to Business and Labor.

HB 57, introduced by Noonan (by request of the Department of Revenue), referred to Business and Labor.

HB 58, introduced by Noonan (by request of the Department of Revenue), referred to Business and Labor.

HB 59, introduced by Lynch (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 60, introduced by Berry (by request of the Economic Affairs Interim Committee), referred to Business and Labor.

HB 61, introduced by Lynch (by request of the Department of Corrections), referred to Business and Labor.

HB 62, introduced by Connell, referred to Fish, Wildlife and Parks.

HB 63, introduced by Pomnichowski (by request of the Department of Administration), referred to Business and Labor.

HB 64, introduced by Ingraham (by request of the Commissioner of Political Practices), referred to State Administration.

HB 65, introduced by Pomnichowski (by request of the Department of Administration), referred to Business and Labor.

HB 66, introduced by Hoven (by request of the Department of Revenue), referred to Taxation.

HB 67, introduced by B. Bennett (by request of the Commissioner of Political Practices), referred to State Administration.

HB 68, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 69, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 70, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 71, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 72, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 73, introduced by Flynn (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

HB 74, introduced by MacDonald (by request of the Law and Justice Interim Committee), referred to Judiciary.

HB 75, introduced by Pease-Lopez (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

HB 76, introduced by Pease-Lopez (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

HB 77, introduced by Ingraham (by request of the Department of Public Health and Human

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Services), referred to Local Government.

HB 78, introduced by Regier (by request of the Teachers' Retirement Board), referred to State Administration.

HB 79, introduced by Berry (by request of the State Auditor), referred to State Administration.

HB 80, introduced by Lavin (by request of the Department of Corrections), referred to Judiciary.

HB 81, introduced by Ankney (by request of the State Auditor), referred to Business and Labor.

HB 82, introduced by Reichner (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 83, introduced by Noonan (by request of the Select Committee on Efficiency in Government), referred to Human Services.

HB 84, introduced by Noonan (by request of the Select Committee on Efficiency in Government), referred to Human Services.

HB 85, introduced by McClafferty (by request of the Office of Public Instruction), referred to Education.

HB 86, introduced by O'Hara (by request of the Office of Public Instruction), referred to Education.

HB 87, introduced by Welborn (by request of the State Auditor), referred to Judiciary.

HB 88, introduced by Hoven (by request of the Department of Revenue), referred to Taxation.

HB 89, introduced by Lynch (by request of the Department of Revenue), referred to Taxation.

HB 90, introduced by O'Hara (by request of the Teachers' Retirement Board), referred to State Administration.

HB 91, introduced by Lynch (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 92, introduced by Curtis (by request of the Public Defender Commission), referred to Judiciary.

HB 93, introduced by McClafferty (by request of the Public Defender Commission), referred to Judiciary.

HB 94, introduced by Lieser (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 95, introduced by Wilmer (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 96, introduced by Wilmer (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 97, introduced by Wilmer (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 98, introduced by Noonan (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

HB 99, introduced by Noonan (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

HB 100, introduced by Ehli (by request of the Select Committee on Efficiency in Government), referred to Human Services.

HB 101, introduced by Ehli (by request of the Select Committee on Efficiency in Government), referred to Human Services.

HB 102, introduced by Ehli (by request of the Select Committee on Efficiency in Government),

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referred to Human Services.

HB 103, introduced by Curtis (by request of the Public Defender Commission), referred to Judiciary.

HB 104, introduced by Regier, referred to Judiciary.

HB 105, introduced by Steenberg (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 106, introduced by Connell (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 107, introduced by Lynch (by request of the Public Defender Commission), referred to Judiciary.

HB 108, introduced by Washburn, referred to State Administration.

HB 109, introduced by McClafferty (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 110, introduced by Pease-Lopez (by request of the State-Tribal Relations Committee), referred to State Administration.

HB 111, introduced by Miller (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

HB 112, introduced by Price (by request of the Teachers' Retirement Board), referred to State Administration.

HB 113, introduced by Price, referred to Human Services.

HB 114, introduced by Clark (by request of the Department of Livestock), referred to Agriculture.

HB 115, introduced by Clark (by request of the Department of Livestock), referred to Agriculture.

HB 116, introduced by Eck (by request of the Department of Administration), referred to Business and Labor.

HB 117, introduced by Eck (by request of the Department of Administration), referred to Business and Labor.

HB 118, introduced by Eck (by request of the Department of Administration), referred to Business and Labor.

HB 119, introduced by Pease-Lopez (by request of the Department of Public Health and Human Services), referred to Human Services.

HB 120, introduced by Ingraham (by request of the Secretary of State), referred to State Administration.

HB 121, introduced by Ingraham, referred to Taxation.

HB 122, introduced by B. Bennett (by request of the Public Employees' Retirement Board), referred to State Administration.

HB 123, introduced by Regier, referred to Human Services.

HB 124, introduced by O'Hara (by request of the Commissioner of Political Practices), referred to State Administration.

HB 125, introduced by O'Hara (by request of the Commissioner of Political Practices), referred to State Administration.

HB 126, introduced by Ingraham (by request of the Secretary of State), referred to State Administration.

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HB 127, introduced by Berry (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 128, introduced by Hollenbaugh (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

HB 129, introduced by Gibson, referred to State Administration.

HB 130, introduced by Fitzpatrick (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 131, introduced by Gursky (by request of the Department of Public Health and Human Services), referred to Human Services.

HB 132, introduced by Lavin, referred to Judiciary.

HB 133, introduced by Berry (by request of the Department of Labor and Industry), referred to Business and Labor.

HB 134, introduced by Lavin (by request of the State Auditor), referred to Judiciary.

HB 135, introduced by MacDonald (by request of the Education and Local Government Interim Committee), referred to Education.

HB 136, introduced by McClafferty (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

HB 137, introduced by Dudik (by request of the Department of Justice), referred to Judiciary.

HB 138, introduced by Hertz (by request of the Department of Administration), referred to Business and Labor.

HB 139, introduced by Lavin (by request of the Department of Justice), referred to Judiciary.

HB 140, introduced by Berry (by request of the Department of Justice), referred to Judiciary.

HB 141, introduced by Noonan (by request of the Department of Justice), referred to Business and Labor.

HB 142, introduced by Connell (by request of the Department of Fish, Wildlife, and Parks), referred to Fish, Wildlife and Parks.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 1, introduced by Blyton (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

HJR 2, introduced by Hollenbaugh (by request of the Select Committee on Efficiency in Government), referred to State Administration.

The following House resolution was introduced, read first time, and referred to committee:

HR 1, introduced by C. Smith (by request of the House Rules Standing Committee), referred to Rules.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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Representative Vance moved that the House adjourn until 1:00 p.m., Tuesday, January 8, 2013. Motion carried.

House adjourned at 1:00 p.m.

Lindsey Grovom
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
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SECOND LEGISLATIVE DAY**

Helena, Montana
January 8, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Neill, excused. Quorum present.

BILLS (O'Hara, Chair):

1/8/2013

Correctly printed: **HB 143, HB 144, HB 145, HB 146, HB 147, HB 148, HB 149, HB 150, HB 151.**
Correctly engrossed: **HR 1.**

SPECIAL ORDERS OF THE DAY

Chief Clerk Grovom announced the staff:

Lindsey Grovom	Chief Clerk
Dee Barfknecht	Deputy Chief Clerk
Debra Caruso	Secretary to Chief Clerk
Carl Spencer	Sergeant-At-Arms
Katie Spencer	Asst. Sgt-At-Arms~Purchasing
Claudia Morley	Asst. Sgt-At-Arms~Pages
Ray Todd	Asst. Sgt-At-Arms~Safety
Tom Rasmussen	Asst. Sgt-At-Arms
Dennis Hefner	Asst. Sgt-At-Arms
Bill Spilker	Asst. Sgt-At-Arms
Larry Cole	Asst. Sgt-At-Arms
Kathy Baird	Bills Clerk
Sandy Bradford	Bills Coordinator
Jo Anne Miller	Journal Clerk
Karl Bjelland	Reading Clerk
Jay Kristensen	Vote Clerk
Jonathan Jackson	Status Clerk
Scott Young	Amendments Coordinator
Debbie Murray	Bills Distribution Clerk
Gilda Clancy	Secretary Supervisor
Lisa Adams	Appropriations
Ellen Bush	Business & Labor
Karen Armstrong	Judiciary
Patty Hartman	State Administration
Rebecca Shaw	Taxation
Marissa Stockton	Education & FWP

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SECOND LEGISLATIVE DAY - JANUARY 8, 2013

Molly Miltenberger	F.R.E.T. & Gen. Gov.
Sandra Dogiakos	Rules/Ethics/Legislative Admin.
Sally Speer	Local Government
Colleen Dever	Nat. Res. & ASC Nat. Res.
McKenzie Chambers	AG & ASC Education
Tia Hunter	Transportation & Jud., Law & Justice
Mary Ann Mackay	Long Range Planning
Sara Andersen	ASC & DPHHS
Susan Dostal	Committee Aide
Connie Myhre	Committee Aide
Kris Spillman	Committee Aide
David Ullrey	Committee Aide
Pat McCue	Committee Aide
Alex Gray	Committee Aide
Sandra Dogiakos	Assistant Secretary Supervisor
Mark Dostal	Word Processor
Shelley Vance	Secretary to Speaker
Max Hunsaker	Majority Chief to Staff
Bowen Greenwood	Aide to Majority Leader
Neil Wagner	Aide to Majority
Wayne Stahl	Aide to Majority
Kirsten McDonnell	Aide to Majority
Ross Lane	Aide to Minority
Marissa Perry	Aide to Minority
Josh Paul	Aide to Minority
Samantha Becker	Aide to Minority
Morgan Cosgrove	Aide to Minority

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

1/8/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that the following pages of the House be employed as of 1:00 p.m., Tuesday, January 8, 2013:

Josiah D. Laszloffy, Laurel
Madeline F. Scherting, Clancy
Olivia I.V. Van Fleet, Kalispell
Meagan Duram, Eureka

Report Adopted.

REPORTS OF STANDING COMMITTEES

RULES (C. Smith, Chair):

1/8/2013

HR 1, introduced bill, be amended as follows:

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1. Page 10, line 27.

Strike: "may"

Insert: "shall"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

Representative Vance moved to appoint a Conference Committee on **Redistricting**. Motion Carried. Speaker Blasdel appointed:

1/8/2013

Representative Randall, Chair
Representative Bangerter
Representative Court
Representative Fitzpatrick
Representative Ingraham
Representative Noonan
Representative Vance
Representative Wagoner
Representative Wilmer

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 143, introduced by Schwaderer, referred to Taxation.

HB 144, introduced by Harris, referred to Fish, Wildlife and Parks.

HB 145, introduced by Harris, referred to Judiciary.

HB 146, introduced by Hansen, referred to Natural Resources.

HB 147, introduced by Redfield, Shaw, Welborn, White, referred to Fish, Wildlife and Parks.

HB 148, introduced by Connell, referred to Local Government.

HB 149, introduced by Connell, referred to Agriculture.

HB 150, introduced by Edmunds, referred to Fish, Wildlife and Parks.

HB 151, introduced by Edmunds, referred to State Administration.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Wednesday, January 9, 2013. Motion carried.

House adjourned at 1:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRD LEGISLATIVE DAY**

Helena, Montana
January 9, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Regier. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berry and Neill, excused. Quorum present.

BILLS (O'Hara, Chair): 1/9/2013

Correctly printed: **HB 152, HB 153, HB 154, HB 155, HB 156, HB 157, HB 158, HB 159, HB 160, HB 161, HB 162, HB 163, HB 164, HB 165, HB 166, HB 168, HB 169, HB 170.**
Correctly enrolled: **HR 1.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 1/8/2013
HB 1, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 152, introduced by Fitzpatrick, referred to Taxation.
HB 153, introduced by Gibson, referred to Taxation.
HB 154, introduced by D. Moore, referred to Local Government.
HB 155, introduced by D. Moore, referred to Transportation.
HB 156, introduced by D. Moore, referred to Transportation.
HB 157, introduced by Connell, referred to Transportation.
HB 158, introduced by Kary, C. Smith, referred to State Administration.
HB 159, introduced by Regier, referred to State Administration.
HB 160, introduced by Washburn, referred to Appropriations.
HB 161, introduced by Washburn, referred to Fish, Wildlife and Parks.
HB 162, introduced by Flynn, Fitzpatrick, Hansen, referred to Human Services.
HB 163, introduced by Flynn, Boulanger, Edmunds, Redfield, referred to Fish, Wildlife and Parks.
HB 164, introduced by Curtis, referred to Local Government.
HB 165, introduced by Curtis, referred to Judiciary.
HB 166, introduced by Curtis, referred to Education.
HB 168, introduced by D. Moore, Hansen, C. Smith, referred to Judiciary.
HB 169, introduced by White, Pomnichowski, Redfield, Regier, referred to Local Government.
HB 170, introduced by Galt, Blasdel, Clark, Doane, Flynn, Hertz, Kary, Miller, Randall, Redfield,

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C. Smith, Zolnikov, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

HR 1 - Representative C. Smith moved **HR 1** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Berry, Neill.

Total 2

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of

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the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Excused: Berry, Neill.
Total 2

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Thursday, January 10, 2013. Motion carried.

House adjourned at 1:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FOURTH LEGISLATIVE DAY**

Helena, Montana
January 10, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Halvorson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berry, Howard, and Squires, excused. Quorum present.

BILLS (O'Hara, Chair):

1/10/2013

Correctly printed: **HB 1**.

Correctly enrolled: **HR 1**.

Correctly printed: **HB 171, HB 172, HB 173, HB 174, HB 176, HB 177, HB 178, HB 179, HB 180**.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 171, introduced by C. Smith, Bangerter, Debby Barrett, G. Bennett, Blasdel, Brenden, T. Brown, Clark, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Halvorson, Hansen, Hill, Howard, Ingraham, Jackson, D. Jones, Kary, Kerns, Knudsen, Lenz, Lewis, Miller, O'Hara, Priest, Redfield, Regier, Sales, Salomon, Schreiner, Schwaderer, Taylor, Vance, Vincent, Walker, Warburton, Webb, Zolnikov, referred to Human Services.

HB 172, introduced by O'Hara, Fitzpatrick, referred to Judiciary.

HB 173, introduced by D. Moore, referred to Natural Resources.

HB 174, introduced by D. Moore, referred to Taxation.

HB 176, introduced by Halvorson, Blasdel, Brenden, Doane, Knudsen, McChesney, Randall, Rosendale, Vance, referred to Education.

HB 177, introduced by Halvorson, Blasdel, Brenden, Doane, Knudsen, McChesney, Randall, Rosendale, Vance, referred to Education.

HB 178, introduced by Price, Ehli, referred to Transportation.

HB 179, introduced by Randall, Hagan, Kary, Welborn, referred to Fish, Wildlife and Parks.

HB 180, introduced by Wagoner, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cuffe in the

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FOURTH LEGISLATIVE DAY - JANUARY 10, 2013

chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - Representative C. Smith moved **HB 1** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Schwaderer.
Total 1

Voted Absentee: Berry, Howard, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the presiding. Chair Cuffe moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams,

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FOURTH LEGISLATIVE DAY - JANUARY 10, 2013

Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Schwaderer.

Total 1

Excused: None.

Total 0

Absent or not voting: Berry, Howard, Squires.

Total 3

MOTIONS

Majority Leader Vance moved the House recess for the purpose of receiving an address by the Honorable Senator for the State of Montana, Max Baucus. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Blasdel requested Sergeant-at-Arms Spencer admit the Honorable Senate into the House Chambers.

Speaker Blasdel introduced Senate President Essmann and yielded the chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving an address from the Honorable Senator Max Baucus. Motion carried.

Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Senator Baucus that the body was in joint session and ready to receive his address. Motion carried.

President Essmann appointed Senator Alan Olson, Senator Christine Kaufmann, Representative Sarah Laszloffy, and Representative Bryce Bennett to escort Senator Baucus into the House Chambers.

Sergeant-at-Arms Ritter announced that the Honorable Senator Max Baucus, was awaiting entrance to the House.

The Committee escorted Senator Baucus into the chambers.

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President Essmann introduced Senator Baucus to the joint session.

Senator Baucus gave the following remarks:

It's an honor to be here. Thank you for inviting me to speak.

It's a bittersweet moment for me to be standing here without seeing my mom here. Many of you knew my mother, Jean Baucus, and how blessed we were to have her with us. She embodied everything we believe in as Montanans. My mom was pure Montana.

I'm so proud and happy that my wife, Mel, is here today.

On Monday, it was an honor to see our Native American tribes recognized at the swearing in ceremony on the steps of the capitol.

Being here brings back some wonderful memories I have from serving in this chamber. And, it gives me a chance to see who's sitting in my old desk. Alan Redfield from Livingston! Alan, welcome to the Montana legislature. I hope that your time here is as meaningful as it was for me.

I learned something important here that is increasingly relevant to our time. Nothing of consequence can be achieved alone. In all my years in public office, I've never seen such a time of toxic partisanship.

In the sweep of history, nations are not defeated by external forces. They are defeated by internal decay. Which means we have no choice but to work together for meaning results.

It's a time that begs for the wisdom of people like Mike Mansfield. Mike once told me: "Max, remember: the other guy's not always wrong. And you're not always right." It's humbling advice. Sometimes it's the small steps toward decency and civility that count the most.

Take New Year's Day for example. At 2 AM on January 1st, I walked over to Mitch McConnell's office. He was catching a couple Z's after a long, tough night of back and forth over the fiscal cliff. I knocked on his door. No answer.

I turned around to leave and someone said: he's in there, try again. I knocked again. Mitch came to the door, a bit groggy and a bit surprised. I said, "Happy New Year!" He looked at me, surprised, and said, "Thanks, Max! You're the first person to wish me a happy New Year."

And, just the other day, I crossed the capitol to welcome our new CongrEssmann, Steve Daines to Washington. Steve's a good guy.

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FOURTH LEGISLATIVE DAY - JANUARY 10, 2013

WORKDAYS-As often as possible, I spend a day working at a Montana business. In the last year, I had some great days working alongside crews across the state. Everything from the sugar beet factory in Billings, to sorting mail early in the morning at the post office in Missoula. Heck – the other day I found myself crawling in a dark tunnel in a hard rock mine near Troy.

Recently in Missoula, I worked on an impressive housing project out by the Wye. It's part of the Neighbor Works program based in Great Falls. Neighbors work together on each other's homes in order to build sweat equity. And no family can move into their new home until all of the homes are completed. These families work side by side to build each home. And in turn, they build a community. I spent a day raising the exterior walls alongside a home owner and some of his neighbors. Odds are the neighbors won't always see eye to eye.

But, the value of each home is strengthened when the entire neighborhood is complete. The program has helped close to 100 families in Montana achieve the American dream in the last 9 years.

In this new legislative session, you too, will be working for the people you serve in your own districts. When you work together with people from other districts, the entire state will rise. Today is a great beginning. We have a mix of old hands and fresh faces. You have a unique opportunity to do something big for Montana.

It's what Montanans expect from us. Because, after all, we're just the hired hands.

WORKING TOGETHER TO DELIVER RESULTS-Why are we here? What do people want from us? It's jobs. Cutting waste. When we do our job by working together we can cut wasteful spending. We can invest in infrastructure and education. We can keep good-paying jobs in Montana.

For example, working together on the Highway Bill in Congress, we got the job done. And, I made sure it was very good for Montana.

Working together for the highway bill means:

13,500 Montana jobs.

Let me repeat that: 13,500 Montana jobs.

\$400 million in annual federal funding for Montana.

For every \$1 Montanans contribute to the Highway Trust fund, we'll get back \$2.23. You don't see that kind of return on any investment anywhere.

As part of the highway bill, I was also able to secure support from both sides of the aisle on my Secure Rural Schools (SRS) and Payment in Lieu of Taxes (PILT) amendment. Together they bring nearly \$50 million to Montana counties every year. These funds help repair county roads, keep the boilers running at our rural schools and keep the lights on for our search and rescue crews. We did it without adding a dime to the federal deficit. Not one, thin dime! Working together delivers results.

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FOURTH LEGISLATIVE DAY - JANUARY 10, 2013

ENERGY JOBS-We are so lucky to be Montanans. We are outdoors people. We want to hunt, fish, hike, go camping and enjoy the beauty of our home. We're here for our majestic views, clean rivers, and the adventure of our outdoors.

We are truly the Treasure State. We're so lucky to have our natural resources that we must take advantage of. We've been blessed with timber, gold, copper, coal, gas and wind. When it comes to energy: Montana has it all.

And we've got to work together to make sure Montana can use every tool available to maximize our energy potential. There are an estimated 18,000 jobs ready for the taking in the Bakken. Montanans should get those jobs. And, they shouldn't have to leave our state to get the training they need. I worked together with Montana's university system and community colleges to launch new job training to get those jobs here. We worked with energy companies operating in Montana to hire Montanans first.

We're making progress because we're working together. The oil boom has been a bright spot for our economy. Providing good-paying jobs we need. The boom has also strained local infrastructure in communities across eastern Montana. That's why I directly urged the President to provide every appropriate federal resource to the Bakken. And, you can bet, I'm going to keep up the pressure.

Wind energy is also adding to the diversity of our state's energy treasures. Again, working together with my committee in the Senate, I helped extend the Production Tax Credit that supports wind farm projects in Montana. Projects like the Rim Rock Wind farm in Glacier and Toole Counties and the Musselshell Wind Farm in Golden Valley and Wheatland Counties. This tax credit has helped bring more than \$1.5 billion in investment to Montana and supported 1,500 jobs.

That's 1,500 more paychecks supporting Montana families and helping them put food on the table. That's 1,500 more paychecks supporting our Main Street businesses in places like Shawmut, Shelby and beyond.

Just two weeks ago, the Rim Rock wind farm powered up with the capacity to provide power to 60,000 households per year. The project has already contributed more than \$40 million to Montana's GDP. Annual property tax payments from the Rim Rock project are expected to exceed \$2.5 million. That's \$2.5 million to help invest in schools and infrastructure that will support even more jobs.

And of course, we have abundant coal. And we should utilize it responsibly by investing in clean coal technology. I fought hard to make sure our universities can move forward with a cutting edge public-private clean coal demonstration project by supporting \$70 million in federal funding. I've also worked hard to make sure regulations on regional haze and coal ash are reasonable.

And, after well over three years of studies, it's time to cut through the red tape and put Montanans to work on the Keystone Pipeline. 2013 needs to be the year we get it done.

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FARM BILL-One-in-five Montana jobs rely on our number one industry: Agriculture. In 2010, agriculture generated \$2.6 billion in income on over 29,000 farms and ranches. Wheat and beef account for about three-fourths of the state's agricultural receipts.

Other important crops include peas and lentils, seed potatoes, sugar beets, honey and barley for beer. Speaking of beer, did you know we have more small breweries per capita than nearly anywhere else in the country? That's jobs. Montana is the largest organic wheat producer in the country. Working together with Republicans and Democrats, I led the charge to pass a bipartisan Farm bill out of the Senate this year. A bill that worked for all of Montana agriculture. It got stuck in the House, but I worked hard to get a 9 month extension as part of the fiscal cliff bill. I'm going to keep fighting tooth and nail for a long-term Farm Bill. Because one in five Montana jobs are counting on it.

FIGHTING FOR MONTANA PRIORITIES-The so-called "fiscal cliff" was, perhaps, the most glaring example of people refusing to work together. We should never have gotten to that point. However, in the end – folks were able to come together to stop tax rates from spiking for Montana families and small businesses.

While the final result wasn't perfect, I managed to get others on board to protect Montana priorities. We kept income taxes from going up on Montana's working families. We provided permanent estate tax relief for Montana farmers, ranchers and small businesses. Let me repeat that: permanent estate tax relief! Not one year, not ten years. Permanent.

We extended tax cuts that allow families to deduct the cost of college tuition. That will help nearly 30,000 working Montana families send their kids to college. We extended tax cuts that help small businesses access the capital they need to grow and hire more workers.

We extended tax credits to make it cheaper for businesses to hire new workers. That includes a specific credit for businesses that hire unemployed veterans. And another to help businesses who support our Montana Guard and Reserve members by making up the difference in their salaries when they deploy.

But make no mistake, no one in Congress should be patting themselves on the back. The final compromise left many tough questions unanswered. Now more than ever, we have to come together and get serious about tackling our debt. We started that process in 2011 by cutting \$1 trillion in spending through the Budget Control Act. It included \$40 billion in cutting out waste, fraud and abuse in programs like unemployment insurance. We've got to continue that work so we aren't kicking the can down the road to our kids and grandkids. We must do it, and we will do it by rolling up our sleeves and working together.

HOUSE JOURNAL
FOURTH LEGISLATIVE DAY - JANUARY 10, 2013

VETERANS-There's another lesson I learned working in the Montana legislature that's never left me. In fact, it's rule number one in my office: Remember who we serve. Montanans have a basic, moral expectation that we work together to leave this place in better shape or better shape than we found it.

In that vein, I ask that we take a moment to also remember who is serving us. Right now we have nearly 300 Montana troops risking their lives in Afghanistan. With more veterans per capita than nearly anywhere else in the country: ontanans proudly answer when duty calls. Just think: one in ten Montanans is a vet.

Let's recognize our Lieutenant Governor, General John Walsh and all 28 veterans currently serving in the Montana legislature. Let's all stand up and give them a big thank you.

When a service member puts on his or her uniform, the entire family carries the burden. The Skillman family of Helena is a proud example of this commitment. There's a bright young gal here named Suzie Skillman. She's 4-years-old. Imagine: her dad, her grandpa and her grandma deployed together to serve in Afghanistan.

Suzie's dad, Jaymes Skillman, along with her grandparents Dan and Lola are currently providing life support for troops in Afghanistan with the 652nd Regional Support Group. That's the kind of service that tugs at us to do our part to make sure the Skillmans and all of our troops can return to a country and a state that is worthy of their sacrifice. Let's all recognize Suzie's mom, Amber, for holding down the home front!

I had the honor of spending Thanksgiving with some of Montana's wounded warriors this year. These young people display so much courage in their sacrifices, dedication to service, and long fight to recovery. These patriots are Montana's future leaders. Instead of nation-building in Afghanistan, we need to invest in Americans like them.

So today, I'm declaring a war on veteran unemployment. And I ask you to join me in this fight. The very first bill I introduce in the new congress will help us sharpen the weapons we need to win. First, it will expand our efforts to make sure veterans can transfer the skills they learn in the military into the civilian job market. If you're certified to operate as a mechanic in Kabul, you ought to be certified in Billings without having to jump through hoops. So last year I started a pilot program to make sure that when our troops train to do a job in the military they earn their civilian licenses at the same time. This effort is already underway for EMTs, mechanics and truck drivers. But it's time to expand it to firefighters, military police, air traffic controllers, and countless other positions. These men and women are getting the best training in the world. And their work ethic is second to none. We need to do our part to help them bring those same skills into their lives back home.

Second, my bill will demand accountability and transparency from the agencies in charge of getting the job done. Right now there are six different programs tasked with tackling veteran unemployment just between the Departments of Veterans Affairs and

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Labor. Six. And yet, in 2011, 1,000 Iraq and Afghanistan veterans were unemployed in Montana, and 234,000 nationwide, according to the Joint Economic Committee. That doesn't add up. So, my bill will require agencies to set measurable goals for improving coordination. And because there's nothing like sunshine to light a fire under folks, it will require them to submit annual reports to Congress -- and more importantly to the American people.

This is just the first step. We have a lot more work ahead of us to end veteran unemployment once and for all. But I believe we can do it if we work together. And I am encouraged by the work we've done so far.

In 2010, the Joint Economic Committee reported Montana's unemployment rate at more than 20 percent for Iraq and Afghanistan veterans. Just one year later, in 2011, it was down to 17.5 percent. Clearly even 1 percent is too high. But we are moving in the right direction thanks to aggressive action. In 2009, I authored the original tax credit for businesses who hire unemployed veterans. In 2010 I began work to make sure it was extended. And by the end of that 2011 it was signed into law. In 2012, my committee came together to extend it again. And we will continue looking for ways to get the word out and make it work better for Montana veterans and businesses.

Doing what's right for our veterans is something we can all agree on. It's not about being democrats or republicans. It's about being Americans. I'm going to be working together with both sides of the aisle and continuing to press the President to join our efforts until every single veteran returns home to a good paycheck instead of an unemployment check.

MONTANA ECONOMIC DEVELOPMENT SUMMITS-A few days ago, we got some great news: A Butte family company called SeaCast is partnering with GE Aviation to create a new joint venture and new Montana jobs. The seeds for this important relationship were planted at our 5th Montana Economic Development Summit in Butte in 2010. I've held these summits every three years, bringing business leaders from across the country together with Montana entrepreneurs to create jobs. They work.

Prior to the summit, Seacast had 21 employees. They currently have more than 70. This new venture is expected to add hundreds of jobs. These are high-tech good-paying jobs Montana needs. I'm proud to announce we'll be holding another Montana Economic Development Summit this fall. I look forward to hearing your ideas on how we can make it the best summit yet that will yield even more great results like what we're seeing with SeaCast in Butte.

CLOSING-

As we look forward to the fresh possibilities of a new legislature and a new governor, I encourage you to work together to deliver results. I wish you the very best in this important endeavor. We stand upon the tall shoulders of great statesmen and women who have come before us.

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There's nothing wrong with disagreeing. But, as my mentor, Mike Mansfield said: "It doesn't do any harm to listen." I encourage you to consider his advice today, tomorrow and in the days to come. Listen to each other. Learn from each other. Serve those who have entrusted you. And take steps of every magnitude to work together. It's worth it. And, frankly, it's more fun that way! It's been an honor to be here, thank you for having me.

President Essmann directed the committee of four to escort Senator Baucus from the joint session.

Senate Majority Leader Wittich moved that the joint session of the 63rd Legislature be adjourned. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, January 11, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTH LEGISLATIVE DAY**

Helena, Montana
January 11, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Hansen. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berry and Squires, excused. Quorum present.

BILLS (O'Hara, Chair): 1/11/2013

Transmitted to the Senate: **HB 1**.

Correctly printed: **HB 23, HB 35, HB 42, HB 53, HB 92, HB 93, HB 132, HB 181, HB 182, HB 183, HB 184, HB 185, HB 186, HB 187, HB 188, HB 189, HB 190, HB 191, HB 192, HB 193, HJR 1**.

Correctly engrossed: **HB 139**.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Ingraham, Chair): 1/11/2013

HB 23, do pass. Report adopted.

HB 53, do pass. Report adopted.

HJR 1, do pass. Report adopted.

TAXATION (Miller, Chair): 1/11/2013

HB 35, do pass. Report adopted.

JUDICIARY (Kerns, Chair): 1/11/2013

HB 139, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "agencies."

Insert: "(1)"

2. Page 1, line 20.

Insert: "(2) As used in this part, "criminal justice information network" means a telecommunications network used exclusively for the purpose of information exchange among the state's law enforcement agencies as provided in Title 44, chapter 5."

3. Page 1, line 25.

Following: "acquire"

Strike: "necessary"

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FIFTH LEGISLATIVE DAY - JANUARY 11, 2013

4. Page 1, line 26.

Following: "part"

Insert: "necessary to accomplish the purposes of this part"

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/11/2013

HB 42, do pass. Report adopted.

HB 92, do pass. Report adopted.

HB 93, do pass. Report adopted.

HB 132, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate joint resolution passed and transmitted to the House for concurrence:

1/10/2013

SJR 1, introduced by Wittich

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 181, introduced by Ballance, Fielder, Greef, D. Jones, Lewis, Thomas, referred to Education.

HB 182, introduced by Ballance, Greef, Lewis, Thomas, referred to Education.

HB 183, introduced by Fiscus, referred to Education.

HB 184, introduced by Fiscus, referred to Business and Labor.

HB 185, introduced by Fiscus, referred to Taxation.

HB 186, introduced by Fiscus, referred to Business and Labor.

HB 187, introduced by Flynn, Boulanger, Harris, referred to Business and Labor.

HB 188, introduced by Regier, Cuffe, Hagan, Keane, Knudsen, McChesney, Noonan, O'Hara, Schreiner, Sesso, referred to Federal Relations, Energy, and Telecommunications.

HB 189, introduced by Lenz, Hollandsworth, MacDonald, Osmundson, Pease-Lopez, Randall, Salomon, referred to Agriculture.

HB 190, introduced by Knudsen, Webb, Wittich, referred to Business and Labor.

HB 191, introduced by Ballance, Edmunds, referred to Judiciary.

HB 192, introduced by Hagan, referred to Taxation.

HB 193, introduced by Hagan, Bangert, Ingraham, referred to Local Government.

The following House joint resolution was introduced, read first time, and referred to committee:

HOUSE JOURNAL
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HJR 3, introduced by O'Neil, Edmunds, Flynn, Galt, Glimm, Greef, Hansen, Harris, Jackson, Lavin, Lewis, Murphy, Randall, Salomon, Schwaderer, Warburton, referred to Judiciary.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 1, introduced by Wittich, referred to Rules.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 1 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Schwaderer.
Total 1

Excused: Berry, Squires.
Total 2

Absent or not voting: Connell, Moore.
Total 2

MOTIONS

Majority Leader Vance moved that the House Recess for the purpose of receiving a presentation by Justice Jim Regnier, Chair of the Districting and Apportionment Commission, of Proposed Legislative Districts. Upon Adjournment of the Joint Session, the House will be adjourned until Monday, January 14, 2013 the 6th Legislative Day at 1:00 p.m. Motion carried.

Speaker Blasdel introduced Senate President Essman and yielded the chair to him.

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Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving a presentation by Justice Jim Regnier, Chair of the Districting and Apportionment Commission, of Proposed Legislative Districts. Motion carried.

Justice Jim Regnier, Chair of the Districting and Apportionment Commission, addressed the Joint Session of the 63rd Legislature to present the proposed legislative districts.

Senator Wittich moved the joint session be adjourned. Motion Carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTH LEGISLATIVE DAY**

Helena, Montana
January 14, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Connell. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

1/14/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 1:30 p.m., Friday, January 11, 2013:

Josiah D. Laszloffy, Laurel
Madeline F. Scherting, Clancy
Olivia I.V. Van Fleet, Kalispell
Meagan Duram, Eureka

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 14, 2013:

Carter M. Webber, Billings
Ian R. Ricketts, Polson
Natalie A. Hill, Havre
Olivia I.V. Van Fleet, Kalispell

Report Adopted.

BILLS (O'Hara, Chair):

1/14/2013

Correctly printed: **HB 20, HB 21, HB 25, HB 34, HB 35, HB 42, HB 53, HB 56, HB 57, HB 92, HB 93, HB 132, HB 139, HB 194, HB 195, HB 196, HB 197, HB 198, HB 199, HB 200, HB 201, HB 202, HB 203, HB 204, HB 205, HB 206.**

Correctly engrossed: **HB 63.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

1/11/2013

HB 20, do pass. Report adopted.

HB 21, do pass. Report adopted.

HB 25, do pass. Report adopted.

HB 34, do pass. Report adopted.

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BUSINESS AND LABOR (Berry, Chair):

1/14/2013

HB 56, do pass. Report adopted.

HB 57, do pass. Report adopted.

HB 63, introduced bill, be amended as follows:

1. Page 1, following line 28.

Insert: "(b) "Conspicuous" means that:

(i) a heading is in capital letters equal to or greater in size than the surrounding text or in contrasting type, font, or color than the surrounding text of the same or lesser size; or

(ii) language in the body of a record or display is in larger type than the surrounding text, is in contrasting type, font, or color than the surrounding text of the same size, or is set off from the surrounding text of the same size by symbols or other marks that call attention to the language."

Renumber: subsequent subsections

2. Page 5, line 14 through line 15.

Strike: "Systemic" on line 14 through "computation." on line 15

3. Page 9, line 20 through line 28.

Strike: "4." on line 20 through "goods." on line 28

4. Page 10, line 26.

Following: "."

Insert: "The buyer's written acknowledgment, conforming to the requirements of 31-1-232, of delivery of a copy of a contract, in any action or proceeding by or against a holder of the contract without knowledge to the contrary when the holder purchases the contract, must be conclusive proof:

(a) of the delivery;

(b) that the contract when signed did not contain any blank spaces except as provided in this subsection (7); and

(c) of compliance with 31-1-231 through 31-1-236."

5. Page 11, lines 13 and 14.

Strike: subsection (10) in its entirety

6. Page 11, lines 29 and 30.

Following: "\$10 or,"

Strike: "in lieu" on line 29 through "31-1-107" on line 30

Insert: "alternatively, the holder may calculate a fixed delinquency fee that is expressed as an interest rate not exceeding 15% of each installment in default"

7. Page 12, line 4.

Strike: "after maturity on each installment in default."

8. Page 12, line 6.

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Following: "payment of"

Insert: "both a delinquency charge as permitted in subsection (1) and"

9. Page 13, line 18 through line 19.

Strike: "unless" on line 18 through "law" on line 19

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 194, introduced by Ingraham, referred to State Administration.

HB 195, introduced by Ingraham, referred to Taxation.

HB 196, introduced by Jacobson, referred to Judiciary.

HB 197, introduced by Edmunds, referred to Business and Labor.

HB 198, introduced by Edmunds, referred to Fish, Wildlife and Parks.

HB 199, introduced by Noonan, Curtis, Keane, Lynch, McClafferty, Pierson, Sesso, Swanson, Vuckovich, referred to Business and Labor.

HB 200, introduced by Fitzpatrick, referred to State Administration.

HB 201, introduced by Eck, Caferro, O'Hara, referred to Judiciary.

HB 202, introduced by Hagan, Arntzen, Facey, McCarthy, referred to Local Government.

HB 203, introduced by Clark, referred to Appropriations.

HB 204, introduced by Clark, referred to Business and Labor.

HB 205, introduced by Kerns, Arntzen, Ballance, G. Bennett, Blyton, Boulanger, D. Brown, Edmunds, Greef, Harris, Ingraham, Jackson, Kary, Miller, Neill, O'Neil, Randall, Salomon, Shaw, C. Smith, Taylor, Thomas, Walker, Warburton, Webb, Wittich, referred to Judiciary.

The following House bill was introduced, read first time, and referred to committee:

HB 206, introduced by Flynn, Murphy, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Noonan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 23 - Representative D. Jones moved consideration of **HB 23** be passed for the day. Motion Carried.

HB 35 - Representative Miller moved **HB 35** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 42 - Representative Regier moved **HB 42** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Squires.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 53 - Representative Ingraham moved **HB 53** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 92 - Representative Curtis moved **HB 92** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Miller, Moore.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 93 - Representative McClafferty moved **HB 93** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: McNiven.
Total 1

HB 132 - Representative Lavin moved **HB 132** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 139 - Representative Lavin moved **HB 139** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 1 - Representative Blyton moved **HJR 1** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Kary, Vance.
Total 2

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Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the presiding. Chair Noonan moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 156** be moved from the Transportation committee to the Local Government committee.

Majority Leader Vance moved **HB 178** be moved from the Transportation committee to the Education committee.

Majority Leader Vance moved the House will Recess for the purpose of receiving an address by the Honorable Senator From the State of Montana, Jon Tester. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Speaker Blasdel introduced Senate President Essmann.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving an address from the Honorable Senator from the State of Montana Jon Tester. Motion carried.

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Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Senator Tester that the body was in joint session and ready to receive his address. Motion carried.

President Essmann appointed Senator Dave Lewis, Senator Shannon Augare, Representative Daniel Zolnikov, and Representative Kathy Swanson to escort Senator Tester into the House Chambers.

Sergeant-at-Arms Ritter announced that the Honorable Senator Jon Tester, was awaiting entrance to the House.

The Committee escorted Senator Tester into the Chambers.

President Essmann introduced Senator Tester to the Joint Session.

Senator Tester gave the following remarks:

President Essmann, Speaker Blasdel, Senator Sesso, Representative Hunter: To the members serving in "The People's House," to the members coming over from "The Upper House," and to all of the guests of this chamber, and to all of the people of Montana watching on TV: Thank you for having me share a few words.

I also want to welcome the newly minted legislators serving in Montana's 63rd legislative assembly. Thank you for your willingness to serve the people of Montana. You now have the opportunity to work with your neighbors from throughout Montana - as citizen legislators to make Montana a better place.

I'd like to ask all veterans here today to please stand.

Ladies and gentlemen, the Montanans standing are true public servants whose service we will never forget. Please join me in saying thanks, with our applause. Now it is our turn to do our part, at the state level and at the federal level. We made a promise to Montana's 103,000 veterans to live up to the standard of quality health care- to address injuries seen and unseen - no matter where they live.

In that vein, I want to say thank you to all who worked so hard to get Montana's share of matching dollars for the Southwestern Montana Veterans' Home. We have more work to do at the Federal level to make this project come to fruition, I would ask you to make sure that spending authority remains at the state level. We owe it to all veterans to make it easier for military experience to count here at home to find meaningful work in the private sector.

Regarding high unemployment among our veterans, we need to do better passing policies like "The Vow to Hire Heroes Act." At the Federal Level or others - in the end - there are no excuses.

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Regarding high rates of suicide among our veterans, whether it's working to reduce the backlog at the VA for those veterans eligible to receive benefits, or working to get more mental healthcare professionals into the field - in the end - there are no excuses.

Members of the Legislature, we share a tremendous honor - a tremendous responsibility - in public service.

Montana's Citizen Legislature is the best model, when it comes to the way things are supposed to work in government. I fell in love with Montana's legislative process the first day I arrived here. And it continues to be my second love. Don't worry. My wife Sharla will always be my first love.

As ordinary citizens you have the special experience to come together in Helena and work together over the next few months to pass policies that hopefully will make Montana a better place for us and our kids and grandkids.

Then at the end of 90 days - or less - you go back home to live and work - along with a million other Montanans - subject to those policies that you created as citizen legislators during this legislative session.

Montanans are depending on you to use your common sense and your ability to have a respectful dialogue, agreeing to disagree without being disagreeable. Folks like seniors, students and teachers, veterans, Native Americans, hunters, hikers and anglers, moms and dads, small business owners. Farmers and ranchers, working families, firefighters, police and first responders.

They're relying on you to do your best-not as Republicans or Democrats or Libertarians-but as Montanans. They are trusting you and your decisions about small business. Education. Agriculture. Health care. Social Justice. Criminal Justice. Sports opportunities. Responsible energy development.

Your decisions should be based on your life experiences along with the input of our neighbors, underpinned by a personal commitment to work together.

A citizen legislature works-as long as you make it work. As long as folks from Sidney and Glendive are willing to work together with folks from Butte and Missoula.

As long as citizenship comes before partisanship. As long as policies are not shaped by politics, but rather common sense and good ideas. I want to say that again: A citizen legislature works as long as policies are not shaped by politics, but rather by common sense and good ideas to move Montana forward.

The founders of our country had a citizen legislature in mind for the U.S. Congress. Most of them made a living in agriculture. They worked around calving, spring planting and harvest. I believe in the value of a citizen legislature so much, it's the reason Sharla and I still operate our farm outside Big Sandy. That perspective is too important for me to ever lose sight of.

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A few weeks ago, I had the honor of playing Taps at the funeral of a good friend of mine named Daniel Inouye. Senator Inouye was an American hero. He was one of the millions who served this nation as part of the "Greatest Generation."

In World War Two, Danny Inouye lost his right arm during a bloody attack in Italy. Even after he was shot in the stomach and then got his arm blown off, he kept on fighting to protect America's freedom. After the War, he was elected to the U.S. House of Representatives, serving the new state of Hawaii. A few years later, he became Senator.

And as my luck would have it, my office in Washington was right next to his.

Senator Inouye taught me many things. But maybe the most significant was his commitment to this country through public service. Whether it be on the battlefield or in Congress, public service is important and often times not easy.

Whether you're a Hawaiian war hero or a Montana dirt farmer - whether you're a Missoula businesswoman or a Wilsall rancher - you have the power to create a better place for all of us - and for our kids and grandkids.

After all, that's why all of us are in public service. To work together to create a better place for future generations.

Our new governor shares that desire. Seeing pictures of Steve and Lisa and their children last week as Steve took his oath - was a strong reminder of the commitment to secure opportunity for future generations. To create jobs. To protect our way of life.

When it comes to responsible decisions to pass a budget that puts Montana first and keeps a surplus in the bank - you have a partner in Steve Bullock. When it comes to responsibly creating jobs and investing in education and developing energy - you have a partner. When it comes to an environment that will grow Montana's small businesses - and keeping Montana's credit rating high - an environment that rewards people and businesses that work hard and live by the rules - you have a partner in Governor Bullock.

Montana's economic future is full of potential, and it's going to take responsible public service to drive that potential home. With your leadership, Montana will be a place where new businesses grow. Where a growing businesses will grow even more.

Over the past four years, I put together 12 Small Business Opportunity Workshops. Each of them focused on connecting businesses to each other. And building new opportunities to create jobs and expand.

Last year, I teamed up with a Republican from Pennsylvania named Pat Toomey to pass legislation making it easier for startup companies to raise capital. Our bill is now the law of the land. And it's going to work for Montana. Making investment dollars more available to allow businesses to expand and create more good paying jobs here in Montana.

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The demand for better access to capital is growing. The credit market is easing up.

Cutting-edge high-tech companies like Microbion in Bozeman, and Rivertop Renewables in Missoula, know that Montana is a perfect place to create and grow a business.

Why? Because Montana is still seen as a place that has clean water and clean air.

Because Montana has incredible outdoor opportunity due in part to our incredible public lands. Because Montana has a great work ethic combined with a higher education program that works with business and produces a well-trained workforce. Because Montana's K-12 public schools offer a great education. And because of the good work done by Governor Schweitzer and previous legislatures, Montana's books are in order. And other companies are taking notice.

In Butte, SeaCast is expanding with the promise of new jobs. We all see the growth - and the challenges and opportunities that come with it - in the Bakken.

My message to you is this: The things I just listed attract business. And yes, they come with a monetary cost. But if we do not make the investment, we will not be able to collect the profit.

Uncertainty will set us back. Irresponsible policies will put us on the wrong track. Focusing on issues that divide us will only send a message that creating Montana jobs is not a priority.

The election is over. And now as legislators - as Montana leaders - you have the opportunity to be advocates for Montana. Be advocates. Work together. Don't focus on division and distraction. Rather focus on those ideas that move Montana forward.

If anyone needs a reminder about our responsibility to work together, it's Washington, D.C.

You saw Congress - yet again - flirt with disaster right up until the play clock ran out on New Year's Eve. You saw both sides of the aisle draw lines in the sand, because they insist on idealism. Not realism. You saw our entire American economy on the brink of the cliff. On the brink simply because a handful of people refused to work together.

In Washington and in Helena, we can't afford to let brinksmanship replace statesmanship. Remember, history is written by statesmen, and women. Not those who stand in the way.

The fiscal problems that face our country at the federal level can and must be addressed. It is our biggest challenge. Cutting spending and increasing revenue will be necessary if we are to solve our budgetary woes.

When it comes to spending, every program needs to be on the table - every program. When it comes to revenue, one only needs to look as far as the Simpson/Bowles Commission plan to see how screwed up our tax code has become. According to that commission, tax earmarks cost us \$1.1 trillion. We can do better than that.

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But we will not solve this country's fiscal challenges by taking an unbending pledge to any political party or political group.

It will be solved by taking responsibility together by governing together to build a big, long-term, bipartisan solution that truly cuts debt and spending. That will give us a solution that will address our tax code for the long haul-to protect working families-and Montana's small businesses and family farms and ranches.

On a side note what Congress did on New Year's Eve and New Year's Day to avoid this month's "Fiscal Cliff" was better than nothing - but not much.

Montanans have told me over the past few years that they're willing to pitch in and - just like Senator Inouye's greatest generation - make some sacrifices to get this nation on the right track.

I look forward to working with Max and Congressman Daines - working together to get the tax code fixed and to get our fiscal house in order. As I said earlier, this is our country's biggest challenge and this is Congress's biggest challenge.

Speaking of Congressman Daines, I have had the privilege of meeting him, his wife and his family. He is someone I appreciate. And I look forward to working with him on issues important to this country and Montana.

Of course, there are other priorities too.

Many of us are still looking back on what was a record-breaking election. Outside groups - on both sides - spent tens of millions of dollars with little transparency and no accountability.

This is not the way we do business in Montana. Montanans sent a loud-and-clear message to all of us serving in public office: Corporations are not people. And only people and their ideas - not corporations and their money - decide our elections.

By a three-to-one margin, Montanans passed a constitutional initiative requiring Senator Baucus, Congressman Daines and me to work on this at the national level. That's why I support overturning the Citizens United decision. Like most Montanans, I see that ruling as a kick-in-the-teeth to our Democracy.

In Montana, that ruling upended our 100-year old state law keeping corporations out of elections. It opened the floodgates to more TV commercials than we've ever seen before. In fact in this past Senate election, more Senate commercials were on TV in Montana than any other senate race in the country - ever.

In many cases, these ads were funded by secret, out-of-state money whose origins we may never know. That's why we must put a premium on transparency and accountability, just as we've always done in Montana.

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In the Senate, I support requiring disclosure of all major campaign expenses - from corporations and unions. Remarkably, it didn't get the 60 votes needed to move forward. All Americans deserve better.

I hope there will be bills here in Helena addressing this issue over the next 83 days. Remember that transparency and accountability and disclosure always have - and always will - run deep in Montana.

Then there's health care.

Whether you love it or hate it - and I love some of it and hate some of it - it's now your responsibility to decide this state's role in putting health care reform to work. There was an opportunity last session for the state of Montana to set up a healthcare exchange to help make insurance more affordable over the long haul.

That opportunity was missed, and now the federal government will do it for Montana. I would have preferred the former.

There will be other ways Montana can put its fingerprint on more affordable health care this session. I encourage you all to do your best in achieving this goal to not only make healthcare more affordable but in that process improve our economy.

Montana is one of only two states that has no authority to review health insurance rates to make sure that they are fair for consumers. Commissioner Monica Lindeen wants to change that, to protect us consumers from high insurance costs. She knows that the federal government has no business taking over insurance regulation. Many of us couldn't agree more.

We have huge infrastructure investment needs across this state. I'm talking about physical infrastructure, like roads and bridges, water and sewer systems, schools, hospitals and broadband. Sound infrastructure is an important piece of a strong economy.

With energy development booming, we have a responsibility to embrace all energy resources, and to provide the infrastructure needed to bring them to their fullest potential. In Eastern Montana where the Bakken Boom has hit, the infrastructure needs in that area are critical. Solving those infrastructure challenges for the long term will be important.

Investing in our human infrastructure means a tax code that rewards businesses big and small for creating jobs here at home. It means investing in our kids and their teachers, not only at the K-12 level, but also at the higher ed level.

Our kids are Montana's most precious resource and our most valuable asset. A well-trained workforce and a new crop of entrepreneurs every year positions the private sector for success.

And I join most Montanans in supporting Superintendent Denise Juneau's bold vision for better education at all levels in this state. We'll need your guidance as Congress hopefully says goodbye to "No Child Left Behind" and "Race To the Top," and reforms the Elementary and

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Secondary Education Act. As we bring Montana classrooms into the 21st Century with new technology. As we level the playing field as Montana schools implement a common core of education standards. As we push to let local districts - not federal bureaucrats - decide what goes in school lunches.

There are a lot of decisions for you to make over the next 83 days. A lot of meetings and hearings. A lot of public input. There will be a lot of debate and hopefully compromise too.

I want to share some powerful words from another great veteran. Senator Mike Mansfield once reminded us that there are two sides to every issue.

"Sometimes the other side is right," he said. "It doesn't do any harm to listen." Mike Mansfield was a man of few words, and they were words to live by.

No one person has all the answers. But all of you together do have the answers. And working together, you'll find them. It's not just a challenge. It's a responsibility. It's an opportunity to prove that citizenship must come before partisanship. It's an opportunity to prove that public service is self-sacrifice.

When my grandparents homesteaded near Big Sandy a hundred years ago, they were part of a community of pioneers. With their neighbors, they built barns, community halls, churches even homes together. They built the hospital in Big Sandy - together.

Nobody asked what party they belonged to before the work started. They just got it done because it made life better for them their families and their neighbors. Needless to say, in some cases, it was a matter of survival.

And it wasn't just Big Sandy. Communities across Montana were built by folks sacrificing together, working together. The people who were first in Montana - American Indians - lived that value too.

Generations before us have shown us the way. It is our responsibility to make sure we let no one down. I'm proud to be your partner in that effort. And I stand ready to work with you.

Good luck in the weeks ahead. And God Bless.

President Essmann directed the committee of four to escort Senator Tester from the Joint Session.

Senate Majority Leader Wittich moved that the Joint Session of the 63rd Legislature be adjourned. Motion carried.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, January 15, 2013. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTH LEGISLATIVE DAY**

Helena, Montana
January 15, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hagstrom.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

1/15/2013

Correctly printed: **HB 20, HB 21, HB 25, HB 34, HB 38, HB 41, HB 51, HB 56, HB 57, HB 63, HB 207, HB 208, HB 209, HB 210, HB 211, HB 212, HB 213.**

Correctly engrossed: **HB 23.**

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Ingraham, Chair):

1/15/2013

HB 38, do pass. Report adopted.

HB 41, do pass. Report adopted.

HB 51, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 207, introduced by Berry, referred to Business and Labor.

HB 208, introduced by O'Neil, referred to Local Government.

HB 209, introduced by O'Neil, referred to State Administration.

HB 210, introduced by McClafferty, Augare, B. Bennett, Boland, Caferro, Calf Boss Ribs, Coffin, Court, Curtis, Driscoll, Dudik, Facey, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Keane, Lieser, Lynch, MacDonald, Malek, McCarthy, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Price, Schreiner, Sesso, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Woods, referred to Appropriations.

HB 211, introduced by Lavin, referred to Judiciary.

HB 212, introduced by Knudsen, Sonju, referred to Business and Labor.

HB 213, introduced by Fitzpatrick, Blasdel, O'Hara, Vance, Welborn, referred to Education.

HJR 4, introduced by Harris, referred to Business and Labor.

HJR 5, introduced by O'Neil, referred to Judiciary.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 20 - Representative Cook moved **HB 20** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hansen, Hoven, O'Neil.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 21 - Representative Cook moved **HB 21** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 23 - Representative D. Jones moved **HB 23**, second reading copy, be amended as follows:

1. Title, page 1, line 6 through line 7.

Following: ";" on line 6

Strike: "PROHIBITING" on line 6 through ";" on line 7

2. Title, page 1, line 9.

Following: "2-2-136"

Strike: ", 13-37-108,"

3. Page 3, line 1 through line 17.

Strike: section 2 in its entirety

Renumber: subsequent section

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 23 - Representative B. Bennett moved **HB 23** as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 25 - Representative Gibson moved **HB 25** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Coffin.

Total 1

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 34 - Representative Boland moved **HB 34** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Kerns, C. Smith.

Total 2

Excused: None.

Total 0

Absent or not voting: Hagstrom.

Total 1

HB 56 - Representative Noonan moved **HB 56** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hansen, Harris, Kerns.

Total 3

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 57 - Representative Noonan moved **HB 57** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Cuffe, Doane, Fiscus, Flynn, Harris, Kerns, Lenz, Miller, O'Neil, Randall, Schwaderer, Vance, Warburton.

Total 13

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 63 - Representative Pomnichowski moved **HB 63** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 77

Nays: Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Harris, Hoven, Kerns, Knudsen, Lavin, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, Washburn, White, Zolnikov.

Total 22

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Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Harris, Shaw.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Kerns, Reichner.
Total 2

HB 42 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 53 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Ankney, Shaw.

Total 2

HB 92 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 93 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Court.

Total 1

HB 132 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 139 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 1 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Harris.
Total 1

MOTIONS

Representative Vance moved **HB 81** be moved from the Business and Labor committee to the Appropriations committee. Motion carried.

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Representative Vance moved **HB 194** be moved from the State Administration committee to the Local Government committee. Motion carried.

UNFINISHED BUSINESS

Representative Washburn was **ADDED** as sponsor to **HB 73** (Flynn Chief Sponsor)

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Wednesday, January 16, 2013. Motion carried.

House adjourned at 1:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTH LEGISLATIVE DAY**

Helena, Montana
January 16, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Salomon. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

1/16/2013

Correctly printed: **HB 38, HB 41, HB 51, HB 65, HB 116, HB 117, HB 118, HB 214, HB 215, HB 216, HB 217, HB 218, HB 220, HB 221, HB 222, HB 223, HB 224, HB 225, HB 226, HB 227, HB 228, HB 229, HB 230, HB 231, HB 232.**

Correctly engrossed: **HB 47, HB 58, HB 73, HB 114, HB 138.**

Transmitted to the Senate: **HB 35, HB 42, HB 53, HB 92, HB 93, HB 132, HB 139.**

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

1/16/2013

HB 65, do pass. Report adopted.

HB 116, do pass. Report adopted.

HB 117, do pass. Report adopted.

HB 118, do pass. Report adopted.

HB 58, introduced bill, be amended as follows:

1. Page 1, line 20.

Strike: "The"

Insert: "A"

Strike: "license does not authorize the sale of"

Insert: "licensee is prohibited from selling"

2. Page 1, line 21.

Strike: "or"

Insert: "and is prohibited from allowing"

And, as amended, do pass. Report adopted.

HB 138, introduced bill, be amended as follows:

1. Page 6, line 27.

Following: "bank."

Insert: "(1)"

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2. Page 7, following line 1.

Insert: "(2) Any bank may buy from or sell to another bank, regardless of where either bank is located or doing business, all or substantially all of the business, assets, and liabilities of the selling bank's branch bank or branch banks that are physically located in this state. The department's prior approval is required if either the buying or selling bank is located in this state."

And, as amended, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):
HB 47, introduced bill, be amended as follows:

1/15/2013

1. Title, line 7.

Following: "7-6-4036,"

Strike: "AND"

Following: "7-11-1025,"

Insert: "20-9-152, AND 20-15-313,"

2. Page 3, line 8.

Following: "Tuesday"

Insert: "in September"

3. Page 3.

Following: line 9

Insert: "**Section 5.** Section 20-9-152, MCA, is amended to read:

"20-9-152. Fixing and levying taxes for joint districts. (1) At the time of fixing levies for county and school purposes by the later of the first Thursday after the first Tuesday in September or within 30 calendar days after receiving certified taxable values, the board of county commissioners of each county in which a part of a joint district is located shall fix and levy taxes on that portion of the joint district located in each board's county at the number of mills for each levy recommended by the joint statement of the county superintendents.

(2) The board of county commissioners shall include in the amounts to be raised by the county levies for schools all the amounts required for the final budget of each part of a joint district located in the county, in accordance with the recommendations of the county superintendent."
"

Insert: "**Section 6.** Section 20-15-313, MCA, is amended to read:

"20-15-313. Tax levy. By the later of the first Thursday after the first Tuesday in September or within 30 calendar days after receiving certified taxable values, the board of county commissioners of any county where a community college district is located shall, subject to 15-10-420, fix and levy a tax on all the real and personal property within the community college district at the rate required to finance the mandatory mill levy prescribed by 20-15-312(1)(b) and the voted levy prescribed by 20-15-311(5) if one has been approved by the voters. When a

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community college district has territory in more than one county, the board of county commissioners in each county shall fix and levy the community college district tax on all the real and personal property of the community college district situated in its county."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):
HB 73, introduced bill, be amended as follows:

1/15/2013

1. Title, page 1, line 5.

Following: "LAWS;"

Insert: "CLARIFYING COMMISSION AUTHORITY TO CLOSE A SEASON;"

2. Title, page 1, line 6.

Following: "LICENSES"

Insert: "AND CLARIFYING THEIR USE"

3. Title, page 1, line 9.

Following: "SECTIONS"

Insert: "87-1-304,"

Following: "87-2-104,"

Insert: "87-2-523,"

4. Page 1, line 13.

Insert: "**Section 1.** Section 87-1-304, MCA, is amended to read:

"87-1-304. Fixing of seasons and bag and possession limits. (1) Subject to the provisions of 87-5-302 and subsection (7) of this section, the commission may:

(a) fix seasons, bag limits, possession limits, and season limits;

(b) open or close or shorten or lengthen seasons on any species of game, bird, fish, or fur-bearing animal as defined by 87-2-101;

(c) declare areas open to the hunting of deer, antelope, elk, moose, sheep, goat, mountain lion, bear, wild buffalo or bison, and wolf by persons holding an archery stamp and the required license, permit, or tag and designate times when only bows and arrows may be used to hunt deer, antelope, elk, moose, sheep, goat, mountain lion, bear, wild buffalo or bison, and wolf in those areas;

(d) subject to the provisions of 87-1-301(7), restrict areas and species to hunting with only specified hunting arms, including bow and arrow, for the reasons of safety or of providing diverse hunting opportunities and experiences; and

(e) declare areas open to special license holders only and issue special licenses in a limited number when the commission determines, after proper investigation, that a special season is necessary to ensure the maintenance of an adequate supply of game birds, fish, or animals or fur-bearing animals. The commission may declare a special season and issue special licenses when game birds, animals, or fur-bearing animals are causing damage to private property or when a written complaint of damage has been filed with the commission by the owner of that property.

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In determining to whom special licenses must be issued, the commission may, when more applications are received than the number of animals to be killed, award permits to those chosen under a drawing system. The procedures used for awarding the permits from the drawing system must be determined by the commission.

(2) The commission may adopt rules governing the use of livestock and vehicles by archers during special archery seasons.

(3) Subject to the provisions of 87-5-302 and subsection (7) of this section, the commission may divide the state into fish and game districts and create fish, game, or fur-bearing animal districts throughout the state. The commission may declare a closed season for hunting, fishing, or trapping in any of those districts and later may open those districts to hunting, fishing, or trapping.

(4) The commission may declare a closed season on any species of game, fish, game birds, or fur-bearing animals threatened with undue depletion from any cause. The commission may close any area or district of any stream, public lake, or public water or portions thereof to hunting, trapping, or fishing for limited periods of time when necessary to protect a recently stocked area, district, water, spawning waters, spawn-taking waters, or spawn-taking stations or to prevent the undue depletion of fish, game, fur-bearing animals, game birds, and nongame birds. The commission may open the area or district upon consent of a majority of the property owners affected.

(5) The commission may authorize the director to open or close any special season upon 12 hours' notice to the public.

(6) The commission may declare certain fishing waters closed to fishing except by persons under 15 years of age. The purpose of this subsection is to provide suitable fishing waters for the exclusive use and enjoyment of juveniles under 15 years of age, at times and in areas the commission in its discretion considers advisable and consistent with its policies relating to fishing.

(7) In an area immediately adjacent to a national park, the commission may not:

(a) prohibit the hunting or trapping of wolves; or

(b) close the area to wolf hunting or trapping unless a wolf harvest quota established by the commission for that area has been met."

Renumber: subsequent sections

5. Page 2, line 5.

Insert: "Section 3. Section 87-2-523, MCA, is amended to read:

"87-2-523. Class E-1--resident wolf license. (1) Except as otherwise provided in this chapter, a person who is a resident, as defined in 87-2-102, and who is 12 years of age or older or who will turn 12 years old before or during the season for which the license is issued, upon payment of a fee of \$19, may receive a Class E-1 license that entitles a holder who is 12 years of age or older to hunt a wolf and possess the carcass of the wolf as authorized by commission rules.

(2) A person who purchases a license pursuant to this section after August 31 may not use the license until 24 hours after the license is issued.

(2)(3) Fees collected pursuant to this section must be deposited and used in accordance with 87-1-623."

Renumber: subsequent sections

6. Page 2.

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Following: line 11

Insert: "(2) A person who purchases a license pursuant to this section after August 31 may not use the license until 24 hours after the license is issued."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

AGRICULTURE (Randall, Chair):

1/15/2013

HB 114, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: ~~"or parts thereof"~~

Insert: "or parts of animal carcasses, or other refuse of any character that has been associated with any animal products, including animal carcasses or parts of animal carcasses"

And, as amended, do pass. Report adopted.

RULES (Smith, Chair):

1/15/2013

SJR 1, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 214, introduced by Wagoner, Ankney, Greef, Lewis, Redfield, referred to State Administration.

HB 215, introduced by Greef, Hunter, Peppers, Vance, referred to State Administration.

HB 216, introduced by Doane, Ankney, G. Bennett, Berry, Galt, Halvorson, Harris, Ingraham, Knudsen, Osmundson, Randall, Redfield, Warburton, referred to Transportation.

HB 217, introduced by Howard, Blasdel, Brodehl, Doane, Kary, Knudsen, Lenz, O'Hara, Osmundson, Redfield, Salomon, C. Smith, referred to State Administration.

HB 218, introduced by Ankney, Olson, Rosendale, Shaw, referred to Appropriations.

HB 220, introduced by Miller, referred to State Administration.

HB 221, introduced by Miller, referred to State Administration.

HB 222, introduced by Miller, referred to State Administration.

HB 223, introduced by Miller, referred to Taxation.

HB 224, introduced by C. Smith, Berry, Blasdel, Clark, Connell, Cook, Ehli, Greef, Hagan, Hansen, Harris, Howard, Kary, Knudsen, Lang, Lenz, McNiven, D. Moore, Priest, Randall, Sales, Salomon, Schwaderer, Sonju, Vance, Vincent, Wittich, referred to Business and Labor.

HB 225, introduced by C. Smith, Berry, Blasdel, Clark, Connell, Cook, Ehli, Greef, Hagan, Hansen, Harris, Howard, Kary, Knudsen, Lang, Lenz, McNiven, D. Moore, Priest, Randall, Sales, Salomon, Schwaderer, Sonju, Vance, Vincent, referred to Business and Labor.

HB 226, introduced by D. Jones, Kary, C. Smith, referred to Business and Labor.

HB 227, introduced by Curtis, Ankney, Welborn, referred to Federal Relations, Energy, and Telecommunications.

HB 228, introduced by Randall, Blyton, Doane, Edmunds, Harris, Knudsen, Lang, Olson,

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Rosendale, Vance, Welborn, referred to Education.

HB 229, introduced by Reichner, referred to State Administration.

HB 230, introduced by Reichner, G. Bennett, Blasdel, Brodehl, Cuffe, Glimm, Hertz, Lavin, Regier, Sales, Salomon, C. Smith, Vance, referred to Taxation.

HB 231, introduced by Hoven, referred to Local Government.

HB 232, introduced by Knudsen, G. Bennett, Berry, Blasdel, Buttrey, Hansen, O'Hara, Reichner, C. Smith, Sonju, Tutvedt, Vance, Walker, Welborn, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Curtis in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 38 - Representative Ingraham moved **HB 38** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 41 - Representative Squires moved **HB 41** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Howard.

Total 1

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 51 - Representative Edmunds moved **HB 51** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Shaw, Vance.

Total 2

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Curtis moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Cook.
Total 1

Excused: None.
Total 0

Absent or not voting: Curtis, Shaw.
Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 20 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Hansen, Laszloffy, O'Neil, C. Smith.
Total 4

Excused: None.
Total 0

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Absent or not voting: Shaw.

Total 1

HB 21 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 23 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: Shaw.

Total 1

HB 25 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 34 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Fiscus, Harris, Kerns, Miller, Schwaderer, C. Smith, Zolnikov.

Total 7

Excused: None.

Total 0

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Absent or not voting: Curtis, Shaw.

Total 2

HB 56 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, Doane, Fiscus, Harris, Kerns, Laszloffy, O'Neil, C. Smith, Wagoner.

Total 9

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 57 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: J. Bennett, Doane, Fiscus, Flynn, Hansen, Harris, Kerns, Laszloffy, Lenz, Miller, O'Neil, Randall, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Zolnikov.

Total 19

Excused: None.

Total 0

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Absent or not voting: Shaw.

Total 1

HB 63 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Ehli, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 68

Nays: J. Bennett, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 30

Excused: None.

Total 0

Absent or not voting: Eck, Shaw.

Total 2

MOTIONS

Representative Vance moved **HB 38** be moved to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Thursday, January 17, 2013. Motion carried.

House adjourned at 1:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
NINTH LEGISLATIVE DAY**

Helena, Montana
January 17, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Coffin. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Shaw and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 1/17/2013

Transmitted to the Senate: **HB 20, HB 21, HB 23, HB 25, HB 34, HB 56, HB 57, HB 63.**
Correctly printed: **HB 40, HB 52, HB 60, HB 65, HB 116, HB 117, HB 118, HB 137, HB 233, HB 235, HB 236, HB 237, HB 238, HB 239, HB 240, HB 241, HB 242, HB 243, SJR 1**
Correctly engrossed: **HB 107.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Hansen, Chair): 1/16/2013
HB 40, do pass. Report adopted.
HB 52, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair): 1/16/2013
HB 55, introduced bill, do pass and be placed on the consent calendar. Report adopted.

BUSINESS AND LABOR (Berry, Chair): 1/17/2013
HB 60, do pass. Report adopted.

JUDICIARY (Kerns, Chair): 1/17/2013
HB 17, introduced bill, do pass and be placed on the consent calendar. Report adopted.
HB 107, introduced bill, be amended as follows:

1. Page 2, line 7.

Following: "appropriated"

Insert: "for each year of the biennium ending June 30, 2015,"

2. Page 2, line 10.

Following: "\$40,000 for"

Insert: "each year of"

3. Page 2, line 12.

Following: "\$40,000 for"

Insert: "each year of"

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And, as amended, do pass. Report adopted.

HB 137, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/16/2013

SB 46, introduced by Vuckovich

SB 47, introduced by Keane

MESSAGES FROM THE GOVERNOR

January 17, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Representative Blasdel:

I would like to extend my warm congratulations to the Nursing Board as it celebrates its Centennial—100 years of ensuring that Montana has some of the very best nurses in the nation. Nurses have always been at the forefront of position change in health care. They have advocated for prevention, wellness, and outcome-oriented care. I look forward to working with the nursing profession as we explore options for improving health care for all Montanans.

To all of our nurses who provide top-notch patient care: your selfless caring does not go unnoticed. Today we celebrate your hard work, and we honor your dedication to your profession. Thank you to our military nurses, and those who work in our schools, our correctional institutions, our long-term care facilities, and our homes. Every day, you touch the lives of many Montanans. To each and every one of our nurses – Thanks you.

Congratulations to the Nursing Board for 100 Years and counting. You should be proud of your many accomplishments

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 233, introduced by Lavin, Arntzen, Dudik, Fitzpatrick, Hollenbaugh, Jent, Larsen, Lieser, McNiven, Noonan, Sesso, Sonju, Tutvedt, referred to Transportation.

HB 235, introduced by Hill, B. Bennett, referred to Judiciary.

HB 236, introduced by Hill, B. Bennett, Noonan, referred to Judiciary.

HB 237, introduced by Hill, referred to Judiciary.

HB 238, introduced by Hill, referred to Human Services.

HB 239, introduced by C. Smith, Ballance, G. Bennett, Blasdel, D. Brown, Clark, Doane, Fielder, Fiscus, Fitzpatrick, Galt, Halvorson, Hansen, Hertz, Howard, Ingraham, Jackson, D. Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Rosendale, Salomon, Taylor, Thomas, Vance, Vincent, Wagoner, Walker, Warburton, Washburn, Webb, White, referred to Education.

HB 240, introduced by C. Smith, Ballance, G. Bennett, Blasdel, D. Brown, Doane, Fielder, Fiscus, Galt, Halvorson, Hansen, Howard, Jackson, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, Miller, D. Moore, Osmundson, Randall, Redfield, Regier, Sales, Vance, Wagoner, Warburton, Washburn, Webb, White, Zolnikov, referred to Judiciary.

HB 241, introduced by Miller, referred to Human Services.

HB 242, introduced by Glimm, Lavin, Reichner, Salomon, referred to Business and Labor.

HB 243, introduced by Wilson, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 7, introduced by Connell, Hamlett, referred to Natural Resources.

The following House resolution was introduced, read first time, and referred to committee:

HR 2, introduced by Randall, referred to Redistricting Committee.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 1 - Representative C. Smith moved **SJR 1** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: McChesney.

Total 1

HB 65 - Representative Pomnichowski moved **HB 65** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 49

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 116 - Representative Eck moved **HB 116** do pass. Motion carried as follows:

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Yeas: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 59

Nays: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Connell, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 41

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 117 - Representative Eck moved **HB 117** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 118 - Representative Eck moved **HB 118** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Blyton, Doane, Edmunds, Galt, Glimm, Harris, Howard, Kary, Kerns, Knudsen, Laszloffy, Miller, Randall, Redfield, Regier, Schwaderer, C. Smith, Warburton, Welborn, White, Zolnikov.

Total 22

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Warburton, Shaw.

Total 2

Absent or not voting: None.

Total 1

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 41 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Excused: Shaw, Warburton.
Total 2

Absent or not voting: Price.
Total 1

HB 51 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

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Excused: Shaw, Warburton.

Total 2

Absent or not voting: Price.

Total 1

MOTIONS

Representative Vance moved **HB 128** be moved from the Natural Resources committee to the Appropriations committee.

Representative Vance moved to appoint a Joint Select Committee on **Pensions** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

Representative Blyton
Representative Cook
Representative Glimm
Representative McChesney
Representative Regier
Representative Swanson

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, January 18, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
TENTH LEGISLATIVE DAY**

Helena, Montana
January 18, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Kary. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Calf Boss Ribs, Salomon, excused. Quorum present.

BILLS (O'Hara, Chair):

1/18/2013

Transmitted to the Senate: **HB 41, HB 51.**

Correctly printed: **HB 17, HB 26, HB 32, HB 40, HB 46, HB 47, HB 52, HB 54, HB 55, HB 60, HB 64, HB 67, HB 73, HB 82, HB 94, HB 107, HB 110, HB 111, HB 114, HB 124, HB 125, HB 136, HB 137, HB 142, HB 148, HB 164, HB 167, HB 175, HB 179, HB 234, HB 244, HB 245, HB 246, HB 247, HB 248, HB 249, HB 250, HB 251, HB 252, HJR 2.**

Correctly engrossed: **HB 58, 36, 50, 104, 115, 129.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

1/17/2013

HB 115, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "GOATS;"

Strike: "AND"

2. Title, page 1, line 7.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 1.

Following: line 21

Insert: "NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

1/17/2013

HB 26, do pass. Report adopted.

HB 136, do pass. Report adopted.

HB 142, do pass. Report adopted.

HB 179, do pass. Report adopted.

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LOCAL GOVERNMENT (Bangerter, Chair):

1/17/2013

HB 148, do pass. Report adopted.

HB 164, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/18/2013

HB 50, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "DEFINITIONS;"

Strike: "ALLOWING FOR"

Insert: "REQUIRING"

2. Page 1, line 27 through line 28.

Following: "officer" on line 27

Strike: "whose scope of employment includes enforcing federal immigration laws or preserving homeland security"

Insert: "as defined in 5 U.S.C. 8331(20) and 5 U.S.C. 8401(17)"

3. Page 1, line 29.

Following: "means the"

Strike: "legal"

Insert: "lawful or unlawful"

4. Page 2, line 2.

Strike: "or the identity or location of a person who is reasonably believed to be illegally residing in the United States"

5. Page 2, line 10 through line 12.

Following: "from" on line 10

Strike: "communicating" on line 10 through "official duties." on line 12

Insert: "taking any of the following actions with respect to information regarding a person's immigration status:

(i) sending information to or requesting or receiving immigration status information from federal officials or law enforcement officers while the local official or employee is acting within the scope of the local official's or employee's official duties;

(ii) maintaining immigration status information;

(iii) exchanging immigration status information with any federal or state governmental entity or local governing body;

(iv) determining eligibility for any public benefit, service, or license provided by federal law or a law of this state or its political subdivisions;

(v) verifying a claim of residence or domicile if a determination of residence or domicile is required under federal law or a law of this state or its political subdivisions or under a judicial order issued pursuant to a civil or criminal proceeding in this state;

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- (vi) confirming the identity of a person who is detained by law enforcement officials;
- (vii) determining whether a person is in compliance with the federal registration laws prescribed by Title II, chapter 7, of the Immigration and Nationality Act, 8 U.S.C. 1301, et seq., if the person is an alien; or
- (viii) acting in any other manner that violates the provisions of 8 U.S.C. 1373 and 1644."

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/18/2013

HB 104, introduced bill, be amended as follows:

1. Page 2, lines 12 through 17.

Strike: "The provisions of" on line 12 through "woman's behalf." on line 17

Insert: "A prosecution for a violation of 45-5-102 or 45-5-103 with regard to the death of an unborn child may not be brought against:

- (1) a person for conduct relating to an abortion for which the consent of the pregnant woman or a person authorized by law to act on her behalf has been obtained or for which the consent is implied by law;
- (2) a person for any medical treatment of the pregnant woman or her unborn child; or
- (3) a woman with respect to her unborn child."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/18/2013

HB 82, do pass. Report adopted.

HB 94, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

1/18/2013

HB 46, do pass. Report adopted.

HB 54, do pass. Report adopted.

HB 64, do pass. Report adopted.

HB 67, do pass. Report adopted.

HB 110, do pass. Report adopted.

HB 124, do pass. Report adopted.

HB 125, do pass. Report adopted.

HJR 2, do pass. Report adopted.

HJR 129, introduced joint resolution, be amended as follows:

1. Page 1, line 27.

Strike: "5" on page 1, line 27

Insert: "6"

And, as amended, do pass. Report adopted.

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TAXATION (Miller, Chair):

1/18/2013

HB 32, do pass. Report adopted.

HB 36, introduced bill, be amended as follows:

1. Page 3, line 12.

Following: "~~purposes.~~"

Insert: "When the money is a reimbursement, the money may be expended at the discretion of the trustees for school purposes."

And, as amended, do pass. Report adopted.

HB 111, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 167, introduced by B. Bennett, Facey, referred to Joint Committee on Pensions.

HB 175, introduced by Wilmer, referred to Joint Committee on Pensions.

HB 234, introduced by Fitzpatrick, Curtis, Gibson, Hagan, Hamlett, Lavin, Lynch, O'Hara, referred to Joint Committee on Pensions.

HB 244, introduced by Connell, White, referred to Natural Resources.

HB 245, introduced by Edmunds, referred to Local Government.

HB 246, introduced by White, Redfield, C. Smith, Zolnikov, referred to Local Government.

HB 247, introduced by Lavin, Fitzpatrick, Galt, Glimm, Randall, Regier, Reichner, referred to Fish, Wildlife and Parks.

HB 248, introduced by B. Bennett, Ehli, Lenz, Steenberg, referred to Natural Resources.

HB 249, introduced by Doane, Brenden, Clark, Flynn, Galt, Halvorson, Kerns, Knudsen, McChesney, Miller, D. Moore, Randall, Redfield, Salomon, C. Smith, Wagoner, White, referred to Agriculture.

HB 250, introduced by Bangerter, Berry, Blasdel, C. Smith, Sonju, referred to Business and Labor.

HB 251, introduced by Ingraham, referred to State Administration.

HB 252, introduced by Ingraham, referred to State Administration.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 6, introduced by Hill, Noonan, referred to Judiciary.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ballance in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 40 - Representative Dudik moved **HB 40** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Doane, Flynn, Harris, Kerns.

Total 5

Excused: None.

Total 0

Absent or not voting: Ballance.

Total 1

HB 47 - Representative McClafferty moved **HB 47** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Harris.
Total 1

HB 52 - Representative Lieser moved **HB 52** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Ankney, Doane, Fiscus, Harris, Kerns, Miller, Shaw, C. Smith.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 58 - Representative Brodehl moved **HB 58**, second reading copy, be amended as follows:

1. Page 1, line 25.

Strike: "\$400"

Insert: "\$40"

2. Page 1, line 26.

Strike: "\$200"

Insert: "\$20"

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Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McCarthy, McChesney, McNally, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Berry, Boland, Brockie, Court, Dudik, Eck, Gursky, Harris, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McClafferty, McNiven, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilmer, Wilson, Woods.

Total 33

Voted Absentee: Boss Ribs, AYE

Excused: Salomon.

Total 1

Absent or not voting: None.

Total 0

HB 58 - Representative Noonan moved **HB 58**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 67

Nays: J. Bennett, Clark, Connell, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Osmundson, Peppers, Randall, Redfield, Regier, Schwaderer, Warburton, Washburn, White, Zolnikov.

Total 33

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 60 - Representative Berry moved **HB 60** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 73 - Representative Flynn moved **HB 73** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 107 - Representative Lynch moved **HB 107** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Doane, O'Neil, Reichner.

Total 3

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 114 - Representative Clark moved **HB 114** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 137 - Representative Dudik moved **HB 137** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ballance moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.

Total 0

Excused: Boss Ribs, Salomon.

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Total 2

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 65 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Knudsen, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 63

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Wagoner, Warburton, Zolnikov.

Total 35

Excused: Boss Ribs, Salomon.

Total 2

Absent or not voting: None.

Total 0

HB 116 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 61

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm,

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Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 37

Excused: Boss Ribs, Salomon.

Total 2

Absent or not voting: None.

Total 0

HB 117 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 63

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 35

Excused: Boss Ribs, Salomon.

Total 2

Absent or not voting: None.

Total 0

HB 118 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 75

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Nays: J. Bennett, Berry, Blyton, Doane, Edmunds, Fiscus, Galt, Glimm, Harris, Kary, Kerns, Knudsen, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Warburton, Welborn, White, Zolnikov.

Total 23

Excused: Boss Ribs, Salomon.

Total 2

Absent or not voting: None.

Total 0

SJR 1 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Excused: Boss Ribs, Salomon.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 73** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 87** be moved from the Judiciary committee to the Business and Labor committee.

Majority Leader Vance moved **HB 90** be moved from the State Administration committee to the Majority Leader Committee on Pensions committee.

Majority Leader Vance moved **HB 95** be moved from the State Administration committee to the Joint Select Committee on Pensions committee.

Majority Leader Vance moved **HB 96** be moved from the State Administration committee to the Joint Select Committee on Pensions committee.

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Majority Leader Vance moved **HB 97** be moved from the State Administration committee to the Joint Select Committee on Pensions committee.

Majority Leader Vance moved **HB 105** be moved from the State Administration committee to the Joint Select Committee on Pensions committee.

Majority Leader Vance moved **HB 112** be moved from the State Administration committee to the Joint Select Committee on Pensions committee.

SPECIAL ORDERS OF THE DAY

HB 55 and HB 17 are currently posted on the Consent Calendar without objection.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Saturday, January 19, 2013. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
ELEVENTH LEGISLATIVE DAY**

Helena, Montana
January 19, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett.
Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Edmunds, excused. Quorum present.

BILLS (O'Hara, Chair):

1/19/2013

Correctly printed: **HB 26, HB 32, HB 45, HB 59, HB 111, HB 136, HB 142, HB 146, HB 148, HB 155, HB 164, HB 253, HB 254, HB 255, HB 256, HB 257, HB 258, HB 259, HB 260, HB 261, HB 262.**

Correctly engrossed: **HB 70, HB 74.**

Correctly enrolled: **HB 1.**

Transmitted to the Senate: **HB 65, HB 116, HB 117, HB 118, SJR 1.**

REPORTS OF STANDING COMMITTEES

JUDICIARY (Kerns, Chair):

1/18/2013

HB 70, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 1, line 25.

Following: "inmates at"

Strike: "the Montana state prison, the Montana women's prison,"

3. Page 1, lines 26 and 27.

Following: "part 4,"

Strike: "a regional" on line 26 through "part 6" on line 27

Insert: "and incorporate victim impact panels as a component of cognitive-behavioral treatment at community-based prerelease centers and alcohol and drug treatment facilities"

4. Page 1, line 29 through page 2, line 1.

Strike: section 2 in its entirety

Renumber: subsequent sections

5. Page 2, line 4.

Strike: "part 1," in two places

And, as amended, do pass. Report adopted.

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HB 74, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 9.

Strike: "SPECIFYING" on line 8 through "REPORT;" on line 9

2. Title, line 9.

STRIKE: ",41-3-207,"

3. Page 5, line 6 through line 14.

Strike: section 2 in its entirety

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 1/18/2013

HB 45, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

1/18/2013

HB 59, do pass. Report adopted.

HB 146, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

1/18/2013

HB 155, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/18/2013

SB 29, introduced by Buttrey

SB 50, introduced by Augare

SB 71, introduced by Tropila

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 253, introduced by McChesney, Coffin, Curtis, Gursky, Olson, referred to Joint Select Committee on Pensions.

HB 254, introduced by Cook, referred to State Administration.

HB 255, introduced by Cook, referred to State Administration.

HB 256, introduced by Hoven, referred to Natural Resources.

HB 257, introduced by Wilson, Coffin, Hill, MacDonald, O'Hara, referred to Transportation.

HB 258, introduced by B. Smith, B. Bennett, Boland, Lieser, McClafferty, McNally, Pierson, Pomnichowski, Price, Steenberg, Wilson, Woods, referred to Local Government.

HB 259, introduced by Hunter, referred to Business and Labor.

HB 260, introduced by Berry, referred to Judiciary.

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HB 261, introduced by Berry, referred to Business and Labor.

HB 262, introduced by Hill (by request of the Department of Public Health and Human Services), referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Whitford in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 26 - Representative Washburn moved **HB 26** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Berry, Court, Dudik, Eck, Ehli, Harris, MacDonald, Pomnichowski, Squires, Williams, Wilmer, Wilson.

Total 12

Voted Absentee: Edmunds, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 32 - Representative Hollandsworth moved **HB 32** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Edmunds, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 111 - Representative Miller moved **HB 111** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Edmunds, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 136 - Representative McClafferty moved **HB 136** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Edmunds, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 142 - Representative Connell moved **HB 142** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Berry, Harris, Kerns, O'Neil, C. Smith.
Total 5

Voted Absentee: Edmunds, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 148 - Representative Connell moved **HB 148** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Edmunds, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 164 - Representative Curtis moved **HB 164** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Edmunds, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Whitford moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Edmunds, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 17 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Edmunds.
Total 1

Absent or not voting: None.
Total 0

HB 40 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: J. Bennett, Berry, Doane, Flynn, Harris, Kerns, Randall.
Total 7

Voted Absentee: None.

Excused: Edmunds.
Total 1

Absent or not voting: None.
Total 0

HB 47 passed as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Edmunds.
Total 1

Absent or not voting: Dudik.
Total 1

HB 52 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: Doane, Harris, Kerns, Miller, Redfield, C. Smith, Welborn.
Total 7

Voted Absentee: None.

Excused: Edmunds.
Total 1

Absent or not voting: Court, Eck.

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Total 2

HB 55 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Cook.

Total 1

Voted Absentee: None.

Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

HB 58 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: J. Bennett, Blyton, Clark, Doane, Fiscus, Flynn, Glimm, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Peppers, Randall, Redfield, Regier, Schwaderer, Vance, Warburton, White, Zolnikov.

Total 29

Voted Absentee: None.

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Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

HB 60 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

HB 107 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

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Nays: O'Neil.

Total 1

Voted Absentee: None.

Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

HB 114 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

HB 137 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Edmunds.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, January 21, 2013. Motion carried.

House adjourned at 8:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWELFTH LEGISLATIVE DAY**

Helena, Montana
January 21, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Pease-Lopez. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Peppers, excused. Quorum present.

Minority Leader Hunter announced the Democrats would caucus. Without objection so ordered. Majority Leader Vance announced the Republicans would stand at ease.

House Recessed.
House Reconvened.

BILLS (O'Hara, Chair):

1/21/2013

Correctly printed: **HB 36, HB 46, HB 50, HB 54, HB 64, HB 67, HB 82, HB 94, HB 110, HB 115, HB 124, HB 125, HB 129, HB 263, HB 264, HB 265, HB 266, HB 267, HB 268, HJR 2.**

Correctly engrossed: **HB 22, HB 131.**

Transmitted to the Senate: **HB 17, HB 40, HB 47, HB 52, HB 55, HB 58, HB 60, HB 107, HB 114, HB 137.**

Examined by the sponsor and found to be correct: **HB 1.**

Signed by the Speaker at 1:25 p.m., January 21, 2013: **HB 1.**

Signed by the Chief Clerk of the House at 1:30 p.m., January 21, 2013: **HB 1.**

Signed by the President at 1:35 p.m., January 21, 2013: **HB 1.**

Delivered to the Governor for approval at 1:53 p.m., January 21, 2013: **HB 1.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

1/21/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, January 19, 2013:

Carter M. Webber, Billings
Ian R. Ricketts, Polson
Natalie A. Hill, Havre
Olivia I.V. VanFleet, Kalispell

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 21, 2013:

Frankie Needles, Clinton
Nathan Wyatt, Helena
Kayla Hallock, Laurel
Alex Wittorff, Shepherd

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Ellen Kauzlarich, East Helena
Rylee Trude, Clancy

Report Adopted.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Howard, Chair):

1/18/2013

HB 131, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "NEGLECT"

Insert: "OR INDIVIDUALS DESIGNATED BY THE MANDATORY REPORTER"

2. Page 2, line 9.

Following: "(5)"

Insert: "(a)"

3. Page 2, line 10.

Following: "with"

Insert: ": (i)"

Following: "official"

Strike: "regarding:"

Insert: "; or

(ii) other individuals with whom the professional or official works in an official capacity if the individuals are part of a team that responds to matters involving the child or the person about whom the report was made and the professional or official has asked that the information be shared with the individuals.

(b) The department may provide information regarding:"

4. Page 2, line 11.

Strike: "(a)"

Insert: "(i)"

Renumber: subsequent subsection

5. Page 2, line 13.

Following: "outcome"

Strike: ", the factual basis for the outcome,"

6. Page 2.

Following: "line 14"

Insert: "(c) Individuals who receive information pursuant to this subsection (5) shall maintain the confidentiality of the information as required by 41-3-205."

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And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):
HB 22, introduced bill, be amended as follows:

1/21/2013

1. Title, line 8 through line 9.

Strike: "CLARIFYING" on line 8 through "COUNTRY";" on line 9

2. Title, line 10.

Following: "MEETINGS;"

Insert: "MODIFYING MEMBERSHIP REQUIREMENTS FOR THE GUARANTY ASSOCIATION BOARD OF DIRECTORS;"

3. Title, line 10.

Strike: "DEFINITIONS"

Insert: "DEFINITION"

Strike: "AND "PUBLIC ADJUSTER""

4. Title, line 15 through line 16.

Strike: "A" on line 15 through "COMPANY" on line 16

Insert: "ANY CAPTIVE INSURANCE COMPANY TO MAKE LOANS TO ITS AFFILIATES"

5. Title, line 19.

Following: "33-4-302,"

Insert: "33-10-104,"

6. Title, line 20.

Following: "33-17-1101,"

Insert: "33-20-509,"

7. Page 8, line 26.

Strike: "within the United States"

Insert: "in any state"

8. Page 12, following line 25

Insert: "**Section 10.** Section 33-10-104, MCA, is amended to read:

"33-10-104. Board of directors -- commissioner approval -- compensation. (1) The board of directors of the association consists of not less than seven or more than nine persons serving terms as established in the plan of operation. Two of the members must be appointed from the public at large by the commissioner. The other members of the board must be member insurers and must be selected by member insurers subject to the approval of the commissioner. Vacancies on the board must be filled for the remaining period of the term in the same manner as initial appointments.

(2) In approving selections to the board, the commissioner shall consider among other things whether all member insurers are fairly represented.

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(3) Members of the board may be reimbursed from the assets of the association for expenses incurred by them as members of the board of directors.""

Renumber: subsequent sections

9. Page 15, line 22.

Strike: "solely"

10. Page 17, line 3.

Following: "of"

Insert: "business"

11. Page 17, line 24 through line 27.

Strike: line 24 through line 27 in their entirety

Insert: "(ii) if not a resident of this state, shall designate a home state in which the adjuster does not maintain a place of business or residence if:

(A) the adjuster's principal state of business or residence does not offer adjuster licensure; and

(B) the adjuster qualifies for the license as if the adjuster were a resident of the designated home state;"

12. Page 18, line 30 through page 19, line 4.

Strike: page 18, line 30 through page 19, line 4 in their entirety

Insert: "(ii) if not a resident of this state, shall designate a home state in which the consultant does not maintain a place of business or residence if:

(A) the consultant's principal state of business or residence does not offer consultant licensure; and

(B) the consultant qualifies for the license as if the consultant were a resident of the designated home state."

13. Page 19, following line 29.

Insert: "**Section 17.** Section 33-20-509, MCA, is amended to read:

"33-20-509. Maturity date. For the purpose of determining the benefits calculated under 33-20-507 and 33-20-508, ~~in the case of annuity contracts under which an election may be made to have annuity payments commence at optional maturity dates,~~ the maturity date is the latest date for which election is permitted by the contract but may not be later than the anniversary of the contract next following the annuitant's 70th birthday or the 10th anniversary of the contract, whichever is later.""

Renumber: subsequent sections

14. Page 25, line 18.

Strike: "company"

Insert: "group"

15. Page 26, line 21.

Strike: "A pure"

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Insert: "Any"

Strike: "or" through "company"

16. Page 26, line 22.

Strike: "its parent company or"

Insert: "any of its"

Strike: "to a parent company or any affiliate"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/19/2013

SB 8, introduced by Murphy

SB 53, introduced by Driscoll

SB 64, introduced by Facey

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 263, introduced by Ingraham, D. Moore, referred to Human Services.

HB 264, introduced by Ingraham, D. Moore, referred to Business and Labor.

HB 265, introduced by Fitzpatrick, Noonan, referred to State Administration.

HB 266, introduced by Shaw, Ankney, Debby Barrett, Keane, Sesso, Welborn, referred to Appropriations.

HB 267, introduced by Hollandsworth, Hamlett, referred to Appropriations.

HB 268, introduced by Hertz, Blasdel, Miller, Tutvedt, Vance, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fitzpatrick in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 36 - Representative Boland moved **HB 36** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 46 - Representative Ingraham moved **HB 46** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 98

Nays: Miller, Zolnikov.
Total 2

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 50 - Representative Howard moved **HB 50** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Peppers, NO.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 54 - Representative Ingraham moved **HB 54** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 64 - Representative Ingraham moved **HB 64** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Fitzpatrick, Halvorson, Knudsen, C. Smith, Vance, Welborn, Zolnikov.

Total 7

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

HB 67 - Representative B. Bennett moved **HB 67** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Glimm, Greef, Gursky, Hagan, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 69

Nays: Ballance, J. Bennett, Berry, Brodehl, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Hagstrom, Halvorson, Hansen, Howard, Jones, Kary, Kerns, Knudsen, Lavin, Lenz, McNiven, Miller, Randall, Redfield, Salomon, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr.

Speaker.

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Total 31

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 82 - Representative Reichner moved **HB 82** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 94 - Representative Lieser moved **HB 94** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg,

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Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov,
Mr. Speaker.
Total 80

Nays: J. Bennett, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Harris, Hoven, Kary, Kerns,
Knudsen, Lang, Lavin, Miller, Randall, Redfield, Regier, Vance, Wagoner, Welborn.
Total 20

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 110 - Representative Pease-Lopez moved **HB 110** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,
Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter,
Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,
MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,
Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price,
Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires,
Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams,
Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Hansen, Harris, O'Neil, Schwaderer, Warburton.
Total 5

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 115 - Representative Clark moved **HB 115** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 124 - Representative O'Hara moved **HB 124** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: J. Bennett, Kerns, Knudsen, Lenz, O'Neil, Randall, C. Smith.
Total 7

Voted Absentee: Peppers, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 125 - Representative O'Hara moved **HB 125** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Doane, Edmunds, Fiscus, Fitzpatrick, Hoven, Kerns, Laszloffy, O'Neil, C. Smith, Warburton, Zolnikov.

Total 11

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 129 - Representative Gibson moved **HB 129** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Edmunds, Fiscus, Fitzpatrick, Miller, O'Neil, Randall, Warburton, Zolnikov.

Total 8

Voted Absentee: Peppers, AYE.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HJR 2 - Representative Hollenbaugh moved **HJR 2** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Edmunds, Kerns, C. Smith, Warburton.

Total 4

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Fitzpatrick moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

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Nays: None.

Total 0

Voted Absentee: Peppers, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 26 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: Boland, Brockie, Court, Curtis, Dudik, Eck, Harris, Lynch, MacDonald, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Pomnichowski, Price, Squires, Swanson, Williams, Wilmer, Wilson.

Total 21

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: Hagstrom.

Total 1

HB 32 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds,

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Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Court.

Total 1

Voted Absentee: None..

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

HB 111 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Squires.

Total 1

Voted Absentee: None..

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

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HB 136 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Peppers.
Total 1

Absent or not voting: Ankney.
Total 1

HB 142 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: J. Bennett, Blyton, Fiscus, Kerns, O'Neil, Schwaderer, C. Smith, Zolnikov.
Total 8

Voted Absentee: None.

Excused: Peppers.

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Total 1

Absent or not voting: Hagstrom.

Total 1

HB 148 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Williams.

Total 1

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: None.

Total 0

HB 164 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

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Total 0

Voted Absentee: None.

Excused: Peppers.

Total 1

Absent or not voting: Ankney.

Total 1

MOTIONS

Representative Gibson moved to change his vote on **HB 136** from No to Yes. Without objection, so ordered.

UNFINISHED BUSINESS

Mr Speaker I move that following undersigned name be **ADDED** as sponsor to **HB 235**

HB 235 (Hill Chief Sponsor)

Representatives Kerns.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, January 22, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTEENTH LEGISLATIVE DAY**

Helena, Montana
January 22, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Reichner. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Peppers and Salomon, excused. Quorum present.

BILLS (O'Hara, Chair):

1/22/2013

Transmitted to the Senate: **HB 26, HB 32, HB 111, HB 136, HB 142, HB 148, HB 164.**

Correctly printed: **HB 22, HB 45, HB 59, HB 70, HB 72, HB 74, HB 131, HB 155, HB 190, HB 212, HB 219, HB 269, HB 270, HB 271, HB 272, HB 273, HB 274, HB 275, HB 276.**

Correctly engrossed: **HB 16, HB 77, HB 141.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the first, second, third, fourth, and fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

1/22/2013

HB 141, introduced bill, be amended as follows:

1. Page 2, line 4.

Strike: "12"

Insert: "16"

2. Page 2, line 8 through line 10.

Strike: "If" on line 8 through "tournament." on line 10

3. Page 2, line 14.

Strike: "12-tournament"

Insert: "16-tournament"

4. Page 2, line 23.

Strike: "12-tournament"

Insert: "16-tournament"

5. Page 2, line 28.

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Strike: "\$2,500"

Insert: "\$1,875"

And, as amended, do pass and be placed on the consent calendar. Report adopted.

HB 190, do pass. Report adopted.

HB 212, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/22/2013

HB 16, introduced bill, be amended as follows:

1. Title, page 1, lines 7 and 8.

Following: "PERSON" on line 7

Strike: "IF THE PERSON" on line 7 through "NEEDS" on line 8

Insert: "IN CERTAIN CASES"

2. Page 1, line 28.

Following: "means"

Insert: ":

(a)"

3. Page 1, line 29.

Following: "disorder"

Insert: "and appears to require commitment;"

Following: "or"

Insert: "(b)"

4. Page 1, line 30.

Following: "person"

Insert: "who appears to be suffering from a mental disorder and appears to require commitment"

5. Page 2, line 1.

Strike: "and" through "commitment"

6. Page 4, line 10.

Following: "When an emergency situation"

Insert: "as defined in 53-21-102"

7. Page 4, line 12.

Following: "appears"

Insert: "to have a mental disorder and"

8. Page 4, lines 16 through 18.

Following: "or to others" on line 16

Strike: "or" on line 16 through "mental disorder" on line 18

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Following: "emergency situation"

Insert: "as defined in 53-21-102"

And, as amended, do pass. Report adopted.

HB 72, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

1/17/2013

HB 77, introduced bill, be amended as follows:

1. Page 2, line 22.

Following: "~~(4)~~"

Insert: "(1)"

2. Page 3.

Following: line 10

Insert: "(2) The department shall ensure the participation of the tribal government in the development of a plan for any county that serves an Indian reservation."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/21/2013

SB 52, introduced by Keane

SB 65, introduced by Wittich

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 219, introduced by Price, Wanzenried, referred to Education.

HB 269, introduced by Swanson, Squires, referred to Judiciary.

HB 270, introduced by Schwaderer, referred to Transportation.

HB 271, introduced by MacDonald, Reichner, referred to Human Services.

HB 272, introduced by Hoven, referred to Taxation.

HB 273, introduced by McClafferty, referred to Fish, Wildlife and Parks.

HB 274, introduced by Greef, Rosendale, Sonju, referred to Business and Labor.

HB 275, introduced by Regier, referred to Judiciary.

HB 276, introduced by Edmunds, referred to Judiciary.

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The following House joint resolution was introduced, read first time, and referred to committee:

HJR 8, introduced by White, Connell, Galt, Kerns, O'Neil, Redfield, Shaw, Warburton, Washburn, Welborn, Zolnikov, referred to Natural Resources.

The following House resolution was introduced, read first time, and referred to committee:

HR 3, introduced by Noonan, referred to Select Committee on Redistricting.

The following Senate bills were introduced, read first time, and referred to committees:

SB 8, introduced by Murphy (by request of the Law and Justice Interim Committee), referred to Judiciary.

SB 29, introduced by Buttrey (by request of the Department of Commerce), referred to Business and Labor.

SB 46, introduced by Vuckovich (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 47, introduced by Keane (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 50, introduced by Augare (by request of the Law and Justice Interim Committee), referred to Judiciary.

SB 52, introduced by Keane, referred to Federal Relations, Energy, and Telecommunications.

SB 53, introduced by Driscoll (by request of the Public Defender Commission), referred to Judiciary.

SB 64, introduced by Facey (by request of the Department of Labor and Industry), referred to Business and Labor.

SB 65, introduced by Wittich (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

SB 71, introduced by Tropila (by request of the Code Commissioner), referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 22 - Representative Dudik moved **HB 22** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Kerns, Randall, Regier, Washburn.

Total 4

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

HB 45 - Representative Lavin moved **HB 45** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

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Total 0

Absent or not voting: Fiscus.

Total 1

HB 59 - Representative Lynch moved **HB 59** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Edmunds, Kary, Kerns, Osmundson, C. Smith, Wagoner, Washburn, Welborn.

Total 8

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

HB 70 - Representative MacDonald moved **HB 70** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 65

Nays: Ankney, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Harris, Howard, Ingraham, Kary, Kerns, Knudsen, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, Shaw, C. Smith, Vance, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 34

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Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

HB 74 - Representative MacDonald moved **HB 74** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 56

Nays: Ankney, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 44

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 - Representative Gursky moved **HB 131** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 75

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Nays: J. Bennett, Berry, Brockie, Brodehl, Doane, Edmunds, Fiscus, Glimm, Hagstrom, Harris, Hoven, Howard, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Welborn, White, Zolnikov.

Total 25

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 146 - Representative Hansen moved consideration of **HB 146** be passed for the day.
Motion Carried.

HB 155 - Representative D. Moore moved **HB 155** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Brodehl, Flynn, Greef, Halvorson, Harris, Kerns, Lavin, Miller, O'Neil, Randall, Redfield, Schwaderer, C. Smith, Vance, White, Zolnikov.

Total 17

Voted Absentee: Peppers, Salomon, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Cook.
Total 1

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: J. Bennett.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 36 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.

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Total 0

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: None.

Total 0

HB 46 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Miller, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: None.

Total 0

HB 50 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.

Total 61

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Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: None.
Total 0

HB 54 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: None.
Total 0

HB 64 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson,

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Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Fitzpatrick, Knudsen, Vance, Welborn.

Total 4

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HB 67 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 60

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 37

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HB 82 passed as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: Connell.
Total 1

HB 94 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 75

Nays: Doane, Fitzpatrick, Flynn, Galt, Harris, Hoven, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Miller, Randall, Redfield, Regier, Reichner, Vance, Wagoner, Washburn, Welborn, Mr. Speaker.
Total 22

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: Connell.

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Total 1

HB 110 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 91

Nays: Ankney, J. Bennett, Harris, Howard, O'Neil, Schwaderer.
Total 6

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: Connell.
Total 1

HB 115 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

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Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HB 124 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Doane, Flynn, Kerns, Knudsen, Lang, Lenz, Miller, O'Neil, C. Smith.

Total 10

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HB 125 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Kerns, O'Neil, Randall, C. Smith.

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Total 9

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HB 129 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Edmunds, Fiscus, Fitzpatrick, Kerns, Miller, O'Neil, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Peppers, Salomon.

Total 2

Absent or not voting: Connell.

Total 1

HJR 2 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner,

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Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov,
Mr. Speaker.
Total 92

Nays: Cook, Edmunds, Kerns, O'Neil, C. Smith.
Total 5

Voted Absentee: None.

Excused: Peppers, Salomon.
Total 2

Absent or not voting: Connell.
Total 1

MOTIONS

Representative Swanson moved to change her vote on **HB 50** from Yes to NO. Without
objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, January 23,
2013. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FOURTEENTH LEGISLATIVE DAY**

Helena, Montana
January 23, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Calf Boss Ribs. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

1/23/2013

Transmitted to the Senate: **HB 36, HB 46, HB 50, HB 54, HB 64, HB 67, HB 82, HB 94, HB 110, HB 115, HB 124, HB 125, HB 129, HJR 2.**

MOTIONS

Majority Leader Vance moved the House recess for the purpose of receiving an address by the Chief Justice of the Montana Supreme Court, Mike McGrath. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Blasdel requested Sergeant-at-Arms Spencer admit the Honorable Senate into the House Chambers.

Speaker Blasdel introduced Senate President Essmann and yielded the chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving an address from Chief Justice of the Montana Supreme Court, Mike McGrath. Motion carried.

Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Chief Justice McGrath that the body was in joint session and ready to receive his address. Motion carried.

President Essmann appointed Senator Buttrey, Senator Jent, Representative Blyton, and Representative Brockie to escort Chief Justice McGrath into the House Chambers.

Sergeant-at-Arms Ritter announced that Chief Justice McGrath, was awaiting entrance to the House.

The Committee escorted Chief Justice McGrath into the Chambers.

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President Essmann introduced Chief Justice McGrath to the Joint Session.

Senator Chief Justice McGrath gave the following remarks:

Mr. Speaker, Mr. President, Members of the Court, Honored Guests and Members of this Joint Assembly.

Thank you for giving me this opportunity. It is indeed an honor to be here speaking on behalf of Montana's Judiciary. It is very gracious of you, and appropriate I might add, to provide this opportunity to both the Executive and Judicial Branches of Montana's government.

I also want to acknowledge the work of the Legislative Auditor's office. In the past few years we have had audit reviews of the Water Court, Drug Courts, and Court Help Programs. These reviews are very helpful to us as managers and allow us the opportunity to look at issues that need addressing. So - thank you for providing that service.

This session, the State of the Judiciary is a mixed bag. In Montana, our courts process about 1,000 cases each day - 350,000 per year. It adds up to one case for every three Montana residents. At 1,000 cases per day, our courts are busy and the workload for court employees is very heavy. The District Courts, those are the courts of general jurisdiction that handle the most serious cases, exceeded 50,000 cases last year-a new record.

Many people come to court because their lives are in crisis. They include victims of crime, and people charged with crimes, children suffering from child abuse, ranchers who can't irrigate because of a water dispute, businesses being wrongfully sued by disgruntled employees, workers injured on the job, neighbors fighting over disputed property boundaries, entrepreneurs challenging the government's interpretation of legislation and mothers seeking child support to buy diapers.

They come because they know they have rights. They know that there are laws that will protect them. They know they will get an answer to their problem. And they know they will be treated fairly, by an independent judge - not a person beholden to money interests or partisanship or social status. Rather a judge who will listen to their grievance and make a decision based on the merits of each individual case.

Today in many places throughout the world, governments are in major transition. Citizens have risen up - not only in protest - but in insurrection and civil war. Why? . . . They want what we have. They want a right to be heard by their government. They want a place at the table when major decisions affecting their lives are being made by the government. And they want to be governed by the rule of law. Our founders developed a system that has become the blueprint for political and economic success for the modern world.

In the words of historian Joseph Ellis, American success is: "about the triumph of representative government bottomed on the principle of popular sovereignty, a market economy fueled by the energies of our citizens, a secular state unaffiliated with any official religion, and the rule of law that presumes the equality of all."

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What our founders knew was that if this republic they had created was going to succeed, it had to be based upon the rule of law. That rule of law requires an independent and impartial manner of resolving disputes-be they commercial matters, family crises, criminal charges or removal of public officers.

Ted Olson served as the U.S. Solicitor General in a Republican Administration. His wife was killed on 9/11. Some of you have heard me quote his remarks, written in the Wall Street Journal, but I think it is worth repetition: "Every day, thousands and thousands of judges-jurists whose names we never hear, from our highest court to our most local tribunal-resolve controversies, render justice, and help keep the peace by providing a safe, reliable, efficient, and honest dispute resolution process. The pay is modest, the work is frequently quite challenging, and the outcome often controversial. For every winner in these cases, there is a loser. Many disputes are close calls, and the judge's decision is bound to be unpopular with someone.

But in this country we accept the decisions of judges, even when we disagree on the merits, because the process itself is vastly more important than any individual decision. Our courts are essential to an orderly, lawful society. And a robust and productive economy depends upon a consistent, predictable, evenhanded, and respected rule of law. . . . Americans understand that no system is perfect and no judge immune from error, but also that our society would crumble if we did not respect the judicial process."

The Judiciary in Montana understands that we have a tremendous responsibility and strive daily to ensure that we uphold these traditions. Those 1,000 people per day that end up in our courts know that our justice system is based on the rule of law and not individual whim. Our disputes are resolved within an orderly system that provides all parties the opportunity to be heard, and is based upon law. In fact, our economy depends on this independent system. Investors and other businesses have the right to rely on an orderly and prompt dispute resolution process. They have the freedom to enter contracts and the ability to have those contracts enforced. They know that even in the most remote courthouse in Montana, they will get a fair hearing and hopefully a timely decision.

Individual citizens have the rights enunciated in our Constitution and the ability to enforce those rights whether they are in Libby or Terry, Billings or Butte. And all of us have the right to expect the courts to make those decisions based on the merits of each individual case-by judges independent of bias, prejudice or political influence.

As an independent third branch of government, our responsibilities are great but our needs are small. Our budget is less than 1 percent of the total state budget. Yet we recognize that with judicial independence comes the corresponding responsibility, to be accountable: accountable to the people who elect us, and; accountable to the Legislature, especially as to how we spend public funds.

In an effort to be more accountable, the Judicial Branch has undertaken a series of performance measures. Specifically, at the Supreme Court, new procedures have been implemented. Last session, I told you that the Court is very much aware of the concerns about backlogged cases.

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Significant improvements have been made. Four years ago there were 71 cases that were more than 1 year old. Our case load is now current. We have no cases over 6 months old and our average time to resolve a case is less than 100 days.

Of course, the Supreme Court takes every case that is appealed. We don't go out and find disputes to resolve. We have the responsibility to determine if laws pass constitutional muster. And, contrary to what some have said, we give great deference to legislative enactments. In the past four years, 44 cases have come to us seeking to overthrow measures passed by this body. We have upheld your actions in 40 of the 44 cases.

We have taken steps to make our decisions more available to the public and the process more transparent. We conduct more oral arguments-in court rooms and other locations that are available for public viewing. We prepare summaries of those cases and stream the arguments on-line. And we issue a synopsis of complicated cases to make it easier for the media and the public to understand the questions decided.

In the District Courts, even with caseloads dramatically increasing, performance standards are now being implemented. The procedures have been adapted to accurately measure case loads and case timeliness. But as I mentioned, the State of the Judiciary is good and bad.

In the last two sessions we have experienced significant budget reductions-including vacancy savings and across the board cuts. Our branch consists of 54 independently-elected officials, 46 of who are elected from their local community. As the vast majority of our budget consists of personnel costs, it has been hard to find areas to cut. Now, our budget is approaching a crisis level.

We have done a good job of managing our resources; we have found the waste. We cut \$100,000 each year for library and computer research; \$90,000 each year for dues to national organizations, I might add-the only branch that has done that; \$400,000 for attorneys and guardian ad litem in child custody cases. We have decimated our training program and eliminated out of state travel. I worry that our inability to properly train our personnel will come back to haunt us in the near future.

We do not have sufficient personnel in our technology department to support the computer and video conferencing equipment that now exists in the 200 plus courts we support throughout Montana. Additional budget reductions will fall on the backs of an overworked local judiciary and inevitably result in delay and court backlogs. Of course the losers under that scenario are your constituents, especially small business and working people.

We know that backlogged courts are bad for business. It is the commercial litigation that suffers most from court delay. Criminal cases, child abuse or custody cases, mental commitments and youth court cases by law must be given priority. As a result, the building contractor trying to resolve a contract dispute or the small business trying to collect a bad debt gets pushed back.

We do, however, offer some solutions that will help with these backlogs. We must continue our Court Help Program statewide. Almost 2/3 of the domestic relations cases-mostly divorces and parenting plans-came to court with at least one party not represented by a lawyer. Well -- what's

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wrong with that you might ask? Delay and insufficiency is the end result here. Family cases are 25% of the case load in District Court.

To put this into real numbers, about 6,500 family law cases each year come to court with pro-se litigants-(no attorney). So other cases must wait while the judge and court staff work with a party that generally does not understand court procedure; does not know the correct forms or papers that must be filed; does not know the appropriate questions to ask a witness or what information the judge needs to decide that case.

The number of these cases is dramatically increasing. With a staggering number of cases each year, we must recognize this situation as one reason, if not the biggest cause for delay in our system.

And speaking of family law-last year Montana had a 25% increase in child abuse and negligent cases-cases that are difficult, often time consuming, and by law must be given court priority. Most people either cannot afford an attorney, or can't find an attorney to take their case-so they come to court without. Fully 30% of our Court's cases at the Supreme Court are presented with at least one party not represented by an attorney. At the trial court level, the domestic relations matters that are pro se: tend to be very messy, are time consuming, are very frustrating-not only for the Judge but the parties themselves.

Court help is designed to assist individual Montana citizens with court service areas, places where you can get proper forms and assistance with the court process without unnecessary expense. Not all legal matters need attorneys. There are many ways we simplify the process and provide people with helpful solutions.

This program provides some direction-some explanation of how to navigate through the process, it does not offer legal advice. Since the Legislature created and funded the program in 2007, the Self Help centers have assisted 30,000 individuals and small businesses navigate through the complexity of our court system. Statewide, we do this primarily with volunteers who are recruited and trained by the limited staff that we have. Because of our tiny budget, we leverage staff with volunteer labor, often AmeriCorps volunteers. This program operates in urban and rural counties-all across our state.

The way our citizens approach the court system is changing dramatically; clearly our courts must adopt to these changing times. This program does significantly increase judicial efficiency and it does reduce court backlog.

One other point in the area of family law. Some legislators and practitioners have had discussions about whether it is time to review Montana's system in this area of the law. Our adversarial system may not be the best approach--especially considering the 6500 pro se cases in this area alone. I understand you may be asked to support a resolution requiring an interim study in the family law area. From my perspective, this may be the time to undertake such a study.

Drug courts and Treatment courts in general can and do save taxpayer dollars. And the last two

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sessions, Legislators had the foresight to fund a small portion of these programs. Not long ago 50% of the children in foster care were there because of their parents' use of drugs--methamphetamine in particular.

An incredibly high percentage--up to 90%--of prison inmates (both male and female) are incarcerated with chemical dependency problems--as many as half for meth. And, of course, many of our prisoners have severe mental illness issues. All of these social problems cause a tremendous drain on state and local government budgets. This is why governors across the country are proposing increased funding for drug courts--as a cost-saving measure.

Treatment courts divert some of these people to less expensive and more effective alternatives. They can keep kids out of Pine Hills or even more expensive out-of-state placements. They divert new commitments from our prisons to less expensive alternatives in the community. Drug courts reunite shattered families and turn participants into productive members of society.

We have studies that demonstrate the success of Montana's drug courts. Some of the highlights include: 82% of drug court graduates that do not commit new offenses, a remarkable statistic and A significant drop in recidivism.

Here is a good one: in the 53 months that the Branch has been collecting data about drug court, 46 babies were born drug free--an immense saving of taxpayer dollars. Only one was born drug affected. We have 29 active drug court dockets in Montana. Two of those are dedicated to our returning veterans that are having problems with readjustment to civilian life. We have 1,300 citizens who have participated in these courts.

These programs are very difficult to complete. Drug courts don't take easy clients. Treatment courts are a strain on judges' time and energy. However, they are very rewarding as well. They do see good things happen in a courtroom--not a common occurrence in our courts. Judges in Montana are committed to addressing the problems in their communities--problems they see every day. Nationally, it has been proven that Treatment courts are by far the most effective thing we can do to address drug abuse and the social and crime related problems that go with it.

Over 400 of our employees have not had a pay raise since October 2008. That is approaching 5 years if you provide a raise this session. Of course, it is very difficult to retain good employees under those circumstances. The Montana Judges Association voted to support salary increases for our staff as its first legislative priority. Even so, we are a group that is dedicated and committed to our mission; most are even passionate about the purposes and role of the rule law in our society. They understand that the hallmark of a flourishing democracy is an adequately funded judiciary that can settle people's disputes in an orderly fashion. Only in that way can the economy move forward and our citizens prosper.

We are optimistic that better days are coming and that you will see fit to provide the Judicial Branch an appropriate level of support. Our modest proposals will help to ensure that the small business owner, the woman injured through no fault of her own, the defendant wrongly accused, and the child crying in the crib get their opportunity to resolve their crises. We also hope that by making the court system more efficient and responsive to the public's needs, we can avoid coming to you

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in a future session asking for more Judges---something I do not want to do. An independent, adequately funded judiciary is the key to constitutional democracy.

Without courts, there is no justice. Without justice, there is no freedom. Thank you again for inviting me to speak with you today. I know all of you have a lot to do in the next 76 days! Good luck this Session!

President Essmann thanked Chief Justice McGrath and directed the committee of four to escort Chief Justice McGrath from the Joint Session.

Senate Majority Leader Wittich moved that the Joint Session of the 63rd Legislature be adjourned. Motion carried.

BILLS (O'Hara, Chair):

1/23/2013

Correctly printed: **HB 16, HB 72, HB 73, HB 77, HB 104, HB 141, HB 190, HB 193, HB 202, HB 212, HB 243, HB 277, HB 278, HB 279, HB 280, HB 281, HB 282, HB 283.**

Correctly engrossed: **HB 71, HB 130, HB 145, HB 169, HB 172.**

Transmitted to the Senate: **HB 36, HB 46, HB 50, HB 54, HB 64, HB 67, HB 82, HB 94, HB 110, HB 115, HB 124, HB 125, HB 129, HJR 2.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

1/22/2013

HB 73, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/22/2013

HB 71, introduced bill, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "PROVIDING" on line 7 through "APPROPRIATION;" on line 8

Insert: "PROVIDING A COORDINATION INSTRUCTION REGARDING APPROPRIATIONS FOR THE DEPARTMENT OF CORRECTIONS AND THE MONTANA BOARD OF CRIME CONTROL;"

2. Title, page 1, line 9.

Strike: "AN EFFECTIVE DATE"

Insert: "EFFECTIVE DATES AND A TERMINATION DATE"

3. Page 4, following line 5.

Insert: "(9) The board shall report annually to the law and justice interim committee regarding the status and performance of the restorative justice grant programs established in this section."

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4. Page 4, following line 23.

Insert: "NEW SECTION. Section 4. Restorative justice fund created -- source of funding -- use of fund. (1) There is an account in the state special revenue fund established by 17-2-102 to be known as the restorative justice fund.

(2) There must be deposited in the account:

(a) money received from legislative allocations;

(b) a transfer of money from a state or local agency for the purposes of 2-15-2013;

(c) a gift, donation, grant, legacy, bequest, or devise made for the purposes of 2-15-2013;

and

(d) money received by the department of justice for the purpose of administering 46-15-411(2).

(3) Except as provided in subsection (2)(d), the fund may be used only to provide grants for restorative justice programs as provided in 2-15-2013 to community-based, including faith-based, organizations."

Renumber: subsequent sections

5. Page 4, line 29 through page 5, line 1.

Strike: section 5 in its entirety

Insert: "NEW SECTION. Section 6. Codification instruction. [Section 4] is intended to be codified as an integral part of Title 2, chapter 15, part 20, and the provisions of Title 2, chapter 15, part 20, apply to [section 4]."

Insert: "NEW SECTION. Section 7. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved, then:

(1) the general fund appropriation for the department of corrections in House Bill No. 2 is decreased by \$200,000 for the biennium ending June 30, 2015; and

(2) the general fund appropriation for the Montana board of crime control for the purpose of funding the restorative justice grant program established in 2-15-2013 is increased by \$200,000 for the biennium ending June 30, 2015."

Renumber: subsequent sections

6. Page 5, line 3.

Strike: "date"

Insert: "dates"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

7. Page 5, following line 3.

Insert: "(2) [Section 4] is effective July 1, 2017."

8. Page 5, following line 3.

Insert: "NEW SECTION. Section 9. Termination. [Sections 1 through 3] terminate July 1, 2017."

And, as amended, do pass. Report adopted.

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LOCAL GOVERNMENT (Bangerter, Chair):
HB 169, introduced bill, be amended as follows:

1/22/2013

1. Page 1, line 12.
Strike: "coordinating agency status"
Insert: "coordination"

2. Page 1, line 15.
Strike: "coordinating agency status"
Insert: "coordination"

3. Page 4, line 24.
Strike: "coordinating agency status"
Insert: "coordination"

And, as amended, do pass. Report adopted.

HB 193, do pass. Report adopted.
HB 202, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):
HB 243, do pass. Report adopted.

1/23/2013

HB 130, introduced bill, be amended as follows:

1. Title, line 11.
Strike: "A RETROACTIVE"
Insert: "AN"

2. Page 2, line 18.
Strike: "4-week"
Insert: "2-week"

3. Page 6, line 11 through line 12.
Strike: Section 9 in its entirety
Insert: "NEW SECTION. **Section 9. Applicability.** [This act] applies to uninsured employers' fund claims that arise on or after [the effective date of this act]."

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):
HB 145, do pass. Report adopted.

1/23/2013

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HB 172, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "years"

Insert: "and is in good standing"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/22/2013

SB 30, introduced by Buttrey

SB 73, introduced by Kaufmann

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 277, introduced by McChesney, Ankney, Bangerter, B. Bennett, Berry, Blasdel, Boland, Brodehl, Calf Boss Ribs, Cook, Court, Dudik, Eck, Ehli, Flynn, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Lavin, Lenz, Lieser, MacDonald, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Pomnichowski, Price, Regier, Salomon, B. Smith, Squires, Swanson, Welborn, Williams, Wilmer, Wilson, referred to State Administration.

HB 278, introduced by Washburn, Connell, Cook, Galt, Harris, Howard, Randall, Redfield, Shaw, C. Smith, White, referred to Fish, Wildlife and Parks.

HB 279, introduced by Court, Clark, Driscoll, Noonan, referred to Judiciary.

HB 280, introduced by C. Smith, Arntzen, Ballance, Blasdel, Blyton, Brodehl, Clark, Connell, Doane, Ehli, Fielder, Fiscus, Galt, Hagan, Halvorson, Hansen, Howard, Jackson, D. Jones, L. Jones, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Rosendale, Schwaderer, Taylor, Thomas, Vance, Wagoner, Washburn, Webb, White, referred to Business and Labor.

HB 281, introduced by C. Smith, Arntzen, Ballance, Blasdel, Blyton, Connell, Doane, Ehli, Fielder, Fiscus, Fitzpatrick, Galt, Hagan, Halvorson, Hansen, Howard, Jackson, L. Jones, Kerns, Knudsen, Lang, Laszloffy, Lenz, Miller, D. Moore, Osmundson, Randall, Redfield, Regier, Rosendale, Schwaderer, Taylor, Vance, Washburn, Webb, White, Zolnikov, referred to Business and Labor.

HB 282, introduced by Wagoner, Kary, Regier, C. Smith, referred to Joint Select Committee on Pensions.

HB 283, introduced by Wagoner, Arntzen, Doane, Miller, Regier, C. Smith, Vance, White, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

SB 30, introduced by Buttrey (by request of the Department of Commerce), referred to Business and Labor.

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SB 73, introduced by Kaufmann (by request of the Board of Crime Control), referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Halvorson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 16 - Representative Hill moved **HB 16** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Howard, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 43

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 72 - Representative MacDonald moved **HB 72** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Blyton, Brodehl, Doane, Edmunds, Fiscus, Harris, Kerns, Miller, Osmundson, Randall, Redfield, C. Smith, Vance, Zolnikov.

Total 14

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: O'Neil.

Total 1

HB 77 - Representative Ingraham moved **HB 77** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Doane, Kerns.

Total 2

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 104 - Representative Regier moved **HB 104** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 141 - Representative Noonan moved **HB 141** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Knudsen, Lavin, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 71

Nays: Bangerter, J. Bennett, Blyton, Brodehl, Court, Cuffe, Doane, Eck, Galt, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Kerns, Lang, Laszloffy, Lenz, MacDonald, McNiven, O'Hara, Osmundson, Redfield, Regier, Reichner, C. Smith, Warburton, White.

Total 29

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 190 - Representative Knudsen moved **HB 190** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 212 - Representative Knudsen moved **HB 212** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voting Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Halvorson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: Boss Ribs, Edmunds.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Kerns, Regier.
Total 2

Voting Absentee: None.

Excused: None.
Total 0

Absent or not voting: Fiscus.
Total 1

HB 45 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voting Absentee: None.

Excused: None.
Total 0

Absent or not voting: Glimm.
Total 1

HB 59 passed as follows:

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Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr.

Speaker.

Total 91

Nays: Ankney, Edmunds, Fiscus, Harris, Kary, Kerns, Osmundson, C. Smith, Welborn.

Total 9

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 70 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Greef, Gursky, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Hagan, Harris, Hoven, Howard, Kary, Kerns, Knudsen, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Reichner, Salomon, C. Smith, Vance, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 36

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 74 passed as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Whitford, Williams, Wilmer, Wilson, Woods.

Total 54

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 46

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 131 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Glimm, Harris, Howard, Kerns, Knudsen, Lang, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Warburton, Washburn, Welborn, White, Zolnikov.

Total 23

Voting Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 155 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Doane, Dudik, Eck, Edmunds, Ehli, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Fiscus, Fitzpatrick, Flynn, Halvorson, Kerns, Lavin, Lenz, Miller, O'Neil, Randall, Redfield, Schwaderer, C. Smith, Vance, White, Wilson, Zolnikov.

Total 21

Voting Absentee: None.

Excused: None.

Total 0

Absent or not voting: Curtis.

Total 1

MOTIONS

Majority Leader Vance moved **HB 97** be moved from the Joint Select Committee on Pensions committee to the State Administration committee.

Majority Leader Vance moved **HB 105** be moved from the Joint Select Committee on Pensions committee to the State Administration committee.

Majority Leader Vance moved **HB 16** be moved to the Appropriations committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 49**
Motion carried.

HB 49 (Ingraham Chief Sponsor)

Representatives Hagan, Hoven, McCarthy, Shaw, Welborn.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, January 24, 2013. Motion carried.

House adjourned at 3:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**63RD LEGISLATURE
FIFTEENTH LEGISLATIVE DAY**

Helena, Montana
January 24, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Representative Knudsen, Speaker Pro Tem, presiding.
Invocation by Representative Bangerter. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Speaker Blasdel, excused. Quorum present.

BILLS (O'Hara, Chair): 1/24/2013

Correctly printed: **HB 66, HB 71, HB 91, HB 100, HB 127, HB 130, HB 140, HB 145, HB 146, HB 162, HB 172, HB 182, HB 187, HB 199, HB 284, HB 285, HB 286, HB 287, HB 288, HB 289, HB 290, HB 291, HB 292, HB 293, HB 294, HB 295.**

Correctly engrossed: **HB 19, HB 28, HB 122, HB 123, HB 143, HB 152, HB 168, HB 188, HB 192.**

Transmitted to the Senate: **HB 22, HB 45, HB 59, HB 70, HB 74, HB 131, HB 155.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Hansen, Chair): 1/23/2013
HB 182, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 1/23/2013
HB 188, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "PRODUCERS;"

Insert: "ESTABLISHING CERTAIN PARAMETERS FOR LONG-TERM CONTRACTS BETWEEN SMALL POWER PRODUCTION FACILITIES AND UTILITIES; GRANTING THE COMMISSION RULEMAKING AUTHORITY;"

2. Title, page 1, line 7.

Following: "DATE"

Insert: "AND APPLICABILITY DATES"

3. Page 1, line 22.

Following: "(a)"

Insert: "(i)"

4. Page 1.

Following: line 25

Insert: "(ii) If a qualifying small power production facility is not eligible to sell electricity to a utility pursuant to a rate schedule approved by the commission, the qualifying small power production facility may enter into a long-term contract to sell electricity only if it is

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selected by a public utility in a competitive solicitation for long-term electricity supply resources."

5. Page 1, line 26.

Strike: "The"

Insert: "For a public utility that has contracts with qualifying small power production facilities with an aggregate total nameplate capacity, excluding the aggregate total nameplate capacity of qualifying small power production facilities using a primary energy source referred to in 18 CFR 292.202(4),(5),(6), or (8), that is less than 15% of the public utility's average daily load, the"

Following: "to"

Strike: "a"

Insert: "the"

6. Page 1, line 27.

Strike: "100 kilowatts"

Insert: "3 megawatts"

7. Page 1, line 28.

Strike: "The"

Insert: "For a public utility that has contracts with qualifying small power production facilities with an aggregate total nameplate capacity, excluding the aggregate total nameplate capacity of qualifying small power production facilities using a primary energy source referred to in 18 CFR 292.202(4),(5),(6), or (8), that is less than 15% of the public utility's average daily load, the"

Following: "to"

Strike: "a"

Insert: "the"

8. Page 1, line 29.

Strike: "100 kilowatts"

Insert: "3 megawatts"

9. Page 1.

Following: line 29

Insert: "(iii) For a public utility that has contracts with qualifying small power production facilities with an aggregate total nameplate capacity, excluding the aggregate total nameplate capacity of qualifying small power production facilities using a primary energy source referred to in 18 CFR 292.202(4),(5),(6), or (8), that is equal to or greater than 15% of the public utility's average daily load, the commission shall approve a rate schedule for sales of electricity to the public utility from a qualifying small power production facility with a design capacity of 100 kilowatts or less.

(iv) For a public utility that has contracts with qualifying small power production facilities with an aggregate total nameplate capacity, excluding the aggregate total nameplate capacity of qualifying small power production facilities using a primary energy source referred to in 18

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CFR 292.202(4),(5),(6), or (8), that is equal to or greater than 15% of the public utility's average daily load, the commission may not approve a rate schedule for sales of electricity to the public utility from a qualifying small power production facility with a design capacity of more than 100 kilowatts.

(v) The commission shall limit the new contracts with standard offer rates for qualifying small power production facilities with a design capacity of more than 100 kilowatts to 6 megawatts of total aggregate design capacity in any calendar year."

10. Page 2, line 1.

Following: "unreasonable."

Insert: "(d) Qualifying small power production facilities that share an interconnection to a public utility are considered one small power production facility for the purposes of eligibility for standard offer rates in accordance with subsection (3)(a) through (3)(c).

(4) Within 90 days of [the effective date of this act], the commission shall adopt rules necessary to implement subsections(3)(a) through(3)(d)."

11. Page 2.

Following: line 4

Insert: "NEW SECTION. Section 3. Applicability -- retroactive applicability. (1)

Except as provided in subsection (2), [this act] applies to:

(a) qualifying small power production facilities that commence commercial operation on or after [the effective date of this act]; or

(b) contracts entered into between qualifying small power production facilities and public utilities on or after [the effective date of this act].

(2) [This act] does not apply to the renewal of a contract between a qualifying small power production facility and a public utility after [the effective date of this act] if the qualifying small power production facility and the public utility entered into the original contract prior to [the effective date of this act].

(3) [This act] applies retroactively, within the meaning of 1-2-109, to rate schedules approved by the public service commission on or after January 1, 2013."

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Howard, Chair):

1/23/2013

HB 28, introduced bill, be amended as follows:

1. Page 3, line 29.

Following: "obstetrician"

Insert: ", "

Strike: "or"

Following: "physician"

Insert: ", or one physician assistant whose duties and delegation agreement includes obstetrical care"

And, as amended, do pass. Report adopted.

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HB 100, do pass. Report adopted.

HB 123, introduced bill, be amended as follows:

1. Page 29, following line 10.

Insert: "NEW SECTION. **Section 21. Nonapplicability.** [This act] does not apply to the coverage, eligibility, rights, responsibilities, or definitions provided for in the affected sections of Titles 50 and 53."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 162, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/24/2013

HB 127, do pass. Report adopted.

HB 187, do pass. Report adopted.

HB 199, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/24/2013

HB 140, do pass. Report adopted.

HB 168, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "TETRAHYDROCANNABINOL"

Insert: "DELTA-9-TETRAHYDROCANNABINOL"

2. Page 1, line 14.

Strike: "tetrahydrocannabinol"

Insert: "delta-9-tetrahydrocannabinol"

3. Page 1, line 17.

Strike: "tetrahydrocannabinol level"

Insert: "delta-9-tetrahydrocannabinol level, excluding metabolites"

Following: "blood,"

Strike: "urine, or saliva,"

4. Page 1, line 19.

Strike: "tetrahydrocannabinol level"

Insert: "delta-9-tetrahydrocannabinol level, excluding metabolites"

Following: "blood,"

Strike: "urine, or saliva,"

5. Page 10, line 4.

Strike: "tetrahydrocannabinol (THC)"

Insert: "delta-9-tetrahydrocannabinol"

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6. Page 24, line 13.

Strike: "tetrahydrocannabinol"

Insert: "delta-9-tetrahydrocannabinol"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

1/24/2013

HB 91, do pass. Report adopted.

HB 122, introduced bill, be amended as follows:

1. Title, line 11 through line 12.

Strike: "PROVIDING" on line 11 through "WORK;" on line 12

2. Page 9, line 2 through line 4.

Strike: "Each" on line 2 through "paid." on line 4

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):

1/24/2013

HB 19, introduced bill, be amended as follows:

1. Title, page 1, line 14.

Strike: "AN"

Insert: "EFFECTIVE DATES AND"

2. Title, page 1, line 15.

Strike: "DATE"

Insert: "DATES"

3. Page 2, line 3.

Strike: "or fraction of a month"

4. Page 2, line 23.

Following: "subsection"

Insert: "(1)(a),"

Following: "(2)(a)"

Insert: ", "

5. Page 4, line 7.

Following: "taxes."

Insert: "Frivolous positions are those identified under 26 U.S.C. 6702 as those provisions may apply to the provisions of Title 15."

6. Page 14, lines 15 and 16.

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Strike: section 6 in its entirety

Insert: "NEW SECTION. Section 6. Effective dates. (1) Except as provided in subsection (2), [this act] is effective January 1, 2014.

(2) [Sections 3, 7, and this section] are effective on passage and approval."

Insert: "NEW SECTION. Section 7. Applicability. (1) Except as provided in subsection (2), [this act] applies to:

(a) penalties assessed against taxes due or fees due for tax periods beginning after December 31, 2013; and

(b) interest computed under 15-1-216 assessed on income taxes owed after December 31, 2013, regardless of the tax reporting period for which the taxes are owed.

(2) [Section 3] applies retroactively, within the meaning of 1-2-109, to tax periods beginning after December 31, 2012."

And, as amended, do pass. Report adopted.

HB 66, do pass. Report adopted.

HB 143, introduced bill, be amended as follows:

1. Page 1, line 26.

Following: "year"

Insert: ", but using the year 2012 consumer price index,"

And, as amended, do pass. Report adopted.

HB 152, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 9.

Strike: "APPLICATIONS" on line 8 through "DECISIONS" on line 9

Insert: "AN APPLICANT MAY APPEAL TO DISTRICT COURT FOR A WRIT OF MANDAMUS
IF A GOVERNING BODY DOES NOT MAKE A TIMELY DECISION"

2. Page 1, line 22.

Strike: "Except as provided in subsection (2)(c), in"

Insert: "In"

3. Page 1, line 23.

Following: "(1), the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

4. Page 1, line 24.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county or 7-1-4127 if an incorporated city or town"

5. Page 1, line 29.

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Strike: "for the first time"

Strike: "30"

Insert: "60"

6. Page 1, line 30.

Following: "i"

Insert: "and"

7. Page 2, lines 1 and 2.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

8. Page 2, line 3.

Following: "section"

Insert: "and deny or approve it"

9. Page 2, line 4.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (2)(b)(i)"

10. Page 2, lines 5 through 9.

Strike: subsection (c) in its entirety

Insert: "(c) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, city, or town is located a writ of mandamus to compel the governing body to make a determination."

Page 2, line 27

Strike: "(a)"

11. Page 2, line 28.

Following: "first"

Insert: "first"

12. Page 2, line 29.

Strike: "or be considered approved as provided under subsection (2)(c)."

Insert: ", and the"

13. Page 2, line 30.

Strike: "(b) The"

14. Page 3, line 3 through line 9.

Strike: subsection (c) in its entirety

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15. Page 4, line 3.

Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

Strike: "to confer"

Insert: "for a taxpayer to receive"

16. Page 4, line 4.

Following: "(1), the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

17. Page 4, line 5.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county or 7-1-4127 if an incorporated city or town"

18. Page 4, line 9.

Strike: "for the first time"

Strike: "30"

Insert: "60"

19. Page 4, line 10.

Following: ":",

Insert: "and"

20. Page 4, lines 11 and 12.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

21. Page 4, line 13.

Following: "section"

Insert: "and deny or approve it"

22. Page 4, line 14.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

23. Page 4, lines 15 through 19.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, city, or town is located a writ of mandamus to compel the governing body to make a determination."

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24. Page 6, line 4.

Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

Strike: "to confer"

Insert: "for a taxpayer to receive"

25. Page 6, line 5.

Following: "(1), the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

26. Page 6, line 7.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county or consolidated local government or 7-1-4127 if an incorporated city or town"

27. Page 6, line 12.

Strike: "for the first time"

Strike: "30"

Insert: "60"

28. Page 6, line 13.

Following: "1."

Insert: "and"

29. Page 6, lines 14 and 15.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

30. Page 6, line 16.

Following: "section"

Insert: "and deny or approve it"

31. Page 6, line 17.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

32. Page 6, lines 18 through 22.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district

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court in the jurisdiction in which the county, consolidated local government, city, or town is located a writ of mandamus to compel the governing body to make a determination."

33. Page 7, line 13.

Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

34. Page 7, line 14.

Following: "(1), the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

35. Page 7, line 15.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county or 7-1-4127 if an incorporated city or town"

36. Page 7, line 18.

Strike: "for the first time"

37. Page 7, line 21.

Following: ":",₁"

Insert: "and"

38. Page 7, lines 22 and 23.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

39. Page 7, line 24.

Following: "section"

Insert: "and deny or approve it"

40. Page 7, line 25.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

41. Page 7, lines 26 through 30.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, city, or town is located a writ of mandamus to compel the governing body to make a determination."

42. Page 8, line 27.

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Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

Following: "order"

Insert: "for a taxpayer"

43. Page 8, line 28.

Following: "section, the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

44. Page 8, lines 29 and 30.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county, consolidated government, or school district or 7-1-4127 if an incorporated city or town"

45. Page 9, line 12.

Strike: "for the first time"

Strike: "30"

Insert: "60"

46. Page 9, line 13.

Following: ":",
1

Insert: "and"

47. Page 9, lines 14 and 15.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

48. Page 9, line 16.

Following: "section"

Insert: "and deny or approve it"

49. Page 9, line 17.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

50. Page 9, lines 18 through 22.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, consolidated government, city, town, or school district is located a writ of mandamus to compel the governing body to make a determination."

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51. Page 9, line 23.

Strike: "(a)"

52. Page 9, line 25 through page 10, line 1.

Strike: subsection (b) in its entirety

53. Page 10, line 22.

Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

Following: "order"

Insert: "for a taxpayer"

54. Page 10, line 23.

Following: "section, the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

55. Page 10, lines 24 and 25.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county, consolidated government, or school district or 7-1-4127 if an incorporated city or town"

56. Page 11, line 7.

Strike: "for the first time"

Strike: "30"

Insert: "60"

57. Page 11, line 8.

Following: "."

Insert: "and"

58. Page 11, lines 9 and 10.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

59. Page 11, line 11.

Following: "section"

Insert: "and deny or approve it"

60. Page 11, line 12.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

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61. Page 11, lines 13 through 17.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, consolidated government, city, town, or school district is located a writ of mandamus to compel the governing body to make a determination."

62. Page 11, line 18.

Strike: "(a)"

63. Page 11, lines 20 through 26.

Strike: subsection (b) in its entirety

64. Page 12, line 23.

Strike: "Except as provided in subsection (3)(b), in"

Insert: "In"

Following: "order"

Insert: "for a taxpayer"

65. Page 12, line 24.

Following: "section, the"

Insert: "taxpayer must have applied by March 1 of the year during which the benefit is first applicable. The"

66. Page 12, line 26.

Strike: "defined in 76-15-103"

Insert: "provided in 7-1-2121 if a county, consolidated government, or school district or 7-1-4127 if an incorporated city or town"

67. Page 13, line 6.

Strike: "for the first time"

Strike: "30"

Insert: "60"

68. Page 13, line 7.

Following: "."

Insert: "and"

69. Page 13, lines 8 and 9.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

70. Page 13, line 10.

Following: "section"

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Insert: "and deny or approve it"

71. Page 13, line 11.

Strike: "30"

Insert: "120"

Strike: "the second due notice publication"

Insert: "receiving the application as provided in subsection (3)(a)(i)"

72. Page 13, lines 12 through 16.

Strike: subsection (b) in its entirety

Insert: "(b) If the governing body fails to hold a hearing or deny or approve the application within 120 days of receiving the application, the applicant may seek from the district court in the jurisdiction in which the county, consolidated government, city, town, or school district is located a writ of mandamus to compel the governing body to make a determination."

73. Page 13, line 17.

Strike: "(a)"

74. Page 13, lines 19 through 25.

Strike: subsection (b) in its entirety

75. Page 13, line 29.

Strike: "or it is considered approved under subsection (3)(b)"

And, as amended, do pass. Report adopted.

HB 192, introduced bill, be amended as follows:

1. Page 1, line 22 through line 23.

Strike: "The penalty" on line 22 through "the transfer." on line 23

2. Page 2, line 2.

Following: ";

Strike: "and"

3. Page 2, line 3.

Strike: "."

Insert: "; and"

4. Page 2, line 3.

Following: line 3

Insert: "(e) the taxpayer identification number."

5. Page 2, line 4.

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Strike: "filed"

Insert: "recorded"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate joint resolution passed and transmitted to the House for concurrence: 1/24/2013

SJR 2, introduced by Tutvedt

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 284, introduced by Cook, referred to Business and Labor.

HB 285, introduced by Pease-Lopez, referred to Judiciary.

HB 286, introduced by Brockie, referred to State Administration.

HB 287, introduced by Salomon, Vuckovich, referred to Judiciary.

HB 288, introduced by Schwaderer, Arntzen, Ballance, G. Bennett, Blasdel, Blyton, Clark, Ehli, Halvorson, Hansen, Hertz, Jackson, D. Jones, Lavin, Lenz, McNiven, Regier, C. Smith, Taylor, Vance, Washburn, referred to Education.

HB 289, introduced by Eck, Lynch, Pomnichowski, referred to Human Services.

HB 290, introduced by O'Neil, referred to Judiciary.

HB 291, introduced by Kerns, referred to Natural Resources.

HB 292, introduced by Brodehl, Edmunds, Greef, Lavin, Regier, C. Smith, referred to Judiciary.

HB 293, introduced by Lieser, Flynn, referred to Federal Relations, Energy, and Telecommunications.

HB 294, introduced by Lieser, referred to Federal Relations, Energy, and Telecommunications.

HB 295, introduced by Lieser, referred to Federal Relations, Energy, and Telecommunications.

The following Senate bills were introduced, read first time, and referred to committees:

SB 15, introduced by Wanzenried (by request of the Department of Revenue), referred to Taxation.

SB 16, introduced by Dick Barrett (by request of the Revenue and Transportation Interim Committee), referred to Taxation.

SB 39, introduced by Vincent (by request of the Environmental Quality Council), referred to Natural Resources.

SB 43, introduced by Wittich (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.

SB 51, introduced by Augare (by request of the Law and Justice Interim Committee), referred to Human Services.

SB 60, introduced by Vuckovich (by request of the Environmental Quality Council), referred to Agriculture.

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SB 72, introduced by Debby Barrett, referred to Agriculture.

SB 75, introduced by Priest, referred to Fish, Wildlife and Parks.

SB 111, introduced by Rosendale, Ballance, D. Brown, Thomas, referred to Transportation.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 2, introduced by Tutvedt, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McClafferty in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 71 - Representative MacDonald moved **HB 71** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Whitford, Williams, Wilmer, Wilson, Woods.

Total 72

Nays: Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Harris, Howard, Kerns, Knudsen, Lang, McNiven, Osmundson, Randall, Redfield, Salomon, C. Smith, Vance, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 28

Voted Absentee: Mr. Speaker, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 130 - Representative Fitzpatrick moved **HB 130** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Cook, Edmunds, Fiscus, Kerns, Squires.

Total 6

Voted Absentee: Mr. Speaker, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 145 - Representative Harris moved **HB 145** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McClafferty, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Mr. Speaker, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 146 - Representative Hansen moved **HB 146** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Court, MacDonald, Pomnichowski, Williams.

Total 4

Voted Absentee: Mr. Speaker, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 172 - Representative O'Hara moved **HB 172** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: Doane.

Total 1

Voted Absentee: Mr. Speaker, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Representative Knudson, Speaker Pro Tem, presiding. Chair McClafferty moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 98

Nays: None.

Total 0

Voted Absentee: Mr. Speaker, None.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Kary.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 72 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 88

Nays: Blyton, Brodehl, Doane, Harris, Kerns, Osmundson, Randall, Redfield, C. Smith, Vance, Zolnikov.

Total 11

Voted Absentee: None.

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 73 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov.

Total 96

Nays: Brockie, Pease-Lopez, Williams.

Total 3

Voted Absentee: None.

Excused: Mr. Speaker.

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Total 1

Absent or not voting: None.

Total 0

HB 77 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 97

Nays: Doane, Kerns.

Total 2

Voted Absentee: None.

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 104 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 40

Voted Absentee: None.

Excused: Mr. Speaker.

Total 1

Absent or not voting: None.

Total 0

HB 141 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Knudsen, Lavin, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 67

Nays: Bangerter, J. Bennett, Blyton, Brodehl, Court, Cuffe, Doane, Eck, Flynn, Galt, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kerns, Lang, Laszloffy, Lenz, MacDonald, McNiven, O'Hara, Osmundson, Redfield, Regier, Reichner, C. Smith, Warburton, White.

Total 31

Voted Absentee: None.

Excused: Mr. Speaker.

Total 1

Absent or not voting: Shaw.

Total 1

HB 190 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Mr. Speaker.
Total 1

Absent or not voting: None.
Total 0

HB 212 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,
Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,
Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,
Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,
Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson,
Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,
Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Mr. Speaker.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 71** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 146** be moved to the Appropriations committee.

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UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 210**
Motion carried.

HB 210 (McClafferty Chief Sponsor)
Representatives Hansen and Salomon.

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 259**
Motion carried.

HB 259 (Hunter Chief Sponsor)
Senators Facey, Keane, Larsen, Rosendale, Thomas, Representatives Bangerter, Berry, Boland, Clark, Court, Cuffe, Curtis, Dudik, Eck, Greef, Hagan, Hill, Hollenbaugh, Jacobson, Kary, Lang, Lieser, Lynch, MacDonald, Mehlhoff, Miller, D. Moore, Neill, Noonan, O'Hara, Peppers, Price, Reichner, Salomon, C. Smith, Squires, Steenberg, and Welborn.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, January 25, 2013.
Motion carried.

House adjourned at 1:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTEENTH LEGISLATIVE DAY**

Helena, Montana
January 25, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Howard. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Osmundson, Reichner, Warburton, and Zolnikov, excused. Quorum present.

BILLS (O'Hara, Chair):

1/25/2013

Transmitted to the Senate: **HB 72, HB 73, HB 77, HB 104, HB 141, HB 190, HB 212.**

Correctly printed: **HB 18, HB 30, HB 81, HB 126, HB 163, HB 169, HB 193, HB 194, HB 202, HB 243, HB 296, HB 297, HB 298, HB 299, HB 300, HB 301, HB 302, HB 303, HB 304, HB 305, HB 306, HB 307, HB 308, HB 309, HB 310, HB 311, HB 312, HB 313, HB 314, HB 315.**

Correctly engrossed: **HB 68, HB 120, HB 138, HB 154, HB 189, HB 249, HB 259, HB 261.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

1/24/2013

HB 189, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "INSURANCE;"

Insert: "REDUCING THE PERCENTAGE OF FEES RETAINED BY THE DEPARTMENT OF REVENUE FOR ADMINISTRATIVE COSTS; IMPOSING A LIMIT ON THE AMOUNT OF FEES COLLECTED THAT ARE TRANSFERRED TO THE GENERAL FUND;"

2. Title, page 1, line 5.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "80-2-208"

Insert: "AND 80-2-232"

3. Page 1, line 16.

Following: line 15

Insert: "Section 2. Section 80-2-232, MCA, is amended to read:

"80-2-232. Department of revenue's duty -- warrants -- transfers to state general fund.

(1) The department of revenue shall receive all money paid under this part and shall place the money in trust for the hail insurance program to the credit of the enterprise fund. All money collected by the board must be deposited in the enterprise fund, and all losses must be paid from that fund. All other costs are administrative expenses and must be paid from the board's enterprise

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fund. If registered warrants are presented and there is no money to pay the warrants, the warrants must be registered and bear interest at the rate of 4% a year until called for payment by the state treasurer.

(2) The department of revenue may retain ~~2%~~ 1% of the gross annual fees imposed and collected under this part for administrative costs associated with billing and collection of hail insurance premiums.

(3) Upon authorization from the board of hail insurance, the state treasurer shall transfer out of the board's enterprise fund to the general fund ~~of the state of Montana~~ 1.5% of the gross annual fees imposed and collected in the state of Montana not to exceed \$100,000."

And, as amended, do pass. Report adopted.

HB 249, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "PRESENCE OF"

Insert: "WILD BUFFALO OR WILD"

2. Page 1, line 11.

Following: "~~wild~~"

Insert: "wild buffalo or wild"

3. Page 1, line 12.

Strike: "bison,"

Following: "buffalo"

Strike: " 1 "

4. Page 1, line 20.

Strike: "bison,"

Following: "buffalo"

Strike: " 1 "

5. Page 1, line 26.

Strike: "bison,"

Following: "buffalo"

Strike: " 1 "

6. Page 1, line 28.

Following: "~~agent~~:"

Insert: "if the landowner or agent is not in violation of subsection (4)(a)."

7. Page 2, line 13.

Following: "~~purposes~~"

Strike: " . "

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Insert: "(4) (a) A person may not intentionally provide supplemental feed to game animals in a manner that results in artificial concentration of game animals that may potentially contribute to the transmission of disease. A person who violates this subsection shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, a person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state land, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(b) Subsection (4)(a) does not apply to supplemental feeding activities conducted by the department for disease control purposes."

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

1/24/2013

HB 18, do pass. Report adopted.

HB 81, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

1/24/2013

HB 163, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

1/24/2013

HB 154, introduced bill, be amended as follows:

1. Page 1, line 21.

Following: "and"

Insert: "and"

2. Page 1, line 23.

Strike: "and"

Insert: "."

3. Page 1, line 24.

Strike: "(f) when requested by an irrigation district pursuant to 85-7-1902(5), act as counsel, without fee."

Insert: "(3) The county attorney may, when requested by an irrigation district pursuant to 85-7-1902(5), act as counsel, without fee."

4. Page 2, line 19.

Strike: "shall"

Insert: "may"

5. Page 2, lines 20 and 21.

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Strike: "unless" on line 20 through "state" on line 21

And, as amended, do pass. Report adopted.

HB 194, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/25/2013

HB 259, do pass. Report adopted.

HB 261, introduced bill, be amended as follows:

1. Page 2, line 10.

Strike: "39-71-1214(2)(h)"

Insert: "39-51-1214(2)(h)"

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/25/2013

HB 68, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "PAROLED"

Insert: "RELEASED"

2. Title, page 1, line 7.

Strike: "PROVIDING AN APPROPRIATION;"

3. Page 1, line 12.

Strike: "while on parole"

4. Page 1, line 16.

Strike: "informational"

5. Page 1, line 17.

Strike: "parole"

Insert: "release"

6. Page 1, line 18.

Following: "participate in"

Insert: "reentry and"

7. Page 1, line 25.

Following: "offenders"

Strike: "being paroled"

Insert: "within 12 months of release"

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8. Page 2, line 13.

Strike: "and"

9. Page 2, line 14.

Following: "legislator"

Strike: "."

Insert: "; and

(g) a representative of a mental health organization."

10. Page 2, line 16.

Following: "Task force members"

Strike: remainder of line 16

Insert: "serving in their capacity as government employees are not entitled to additional compensation but are entitled to reimbursement for travel expenses incurred while engaged in task force activities as provided for in 2-18-501. Task force members who are not employed by the state are not entitled to compensation or travel expenses."

11. Page 2, line 17.

Insert: "(5) Before July 1 of each even-numbered year, the task force shall report to the law and justice interim committee regarding the development, implementation, and effectiveness of reentry programs."

12. Page 2, line 23.

Strike: "aftercare services for inmates released on parole"

Insert: "services to released inmates in areas such as mental health, chemical dependency, employment, housing, health care, faith-based services, parenting, relationship services, and victim impact panels"

13. Page 2, line 30 through page 3, line 1.

Strike: section 4 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

1/25/2013

HB 30, do pass. Report adopted.

HB 120, introduced bill, be amended as follows:

1. Page 24, line 14.

Strike: "this"

Following: "(2)"

Insert: "(a)"

2. Page 24, line 14 through line 15.

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Strike: "within" on line 14 through "13-13-211(2)" on line 15

Insert: "by noon on election day"

3. Page 24.

Following: line 19

Insert: "(d) An elector with a sudden illness or health emergency may request an absentee ballot by telephone, facsimile transmission, or other means after noon on election day; however, the elector or the elector's designee is responsible for picking up the ballot at the election office and ensuring that the ballot is returned by the time specified in 13-13-211(3)."

And, as amended, do pass. Report adopted.

HB 126, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/24/2013

SB 5, introduced by Buttrey

SB 32, introduced by Facey

SB 35, introduced by Keane

SB 36, introduced by Murphy

SB 41, introduced by Buttrey

SB 66, introduced by Arthun

SB 87, introduced by F. Moore

SB 121, introduced by Fielder

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 296, introduced by Ingraham, referred to State Administration.

HB 297, introduced by Howard, Arthun, Boulanger, Brodehl, Hagan, Harris, Kary, Warburton, Washburn, Webb, referred to Business and Labor.

HB 298, introduced by Warburton, Ankney, Arntzen, G. Bennett, Brenden, Brodehl, Buttrey, Connell, Doane, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Jergeson, D. Jones, Kary, Kerns, Knudsen, Lang, Lenz, Lieser, McChesney, Randall, Redfield, Rosendale, Salomon, Schwaderer, Shaw, Washburn, Welborn, White, Zolnikov, referred to Fish, Wildlife and Parks.

HB 299, introduced by Warburton, Ankney, Arntzen, G. Bennett, Berry, Blasdel, Brenden, Brockie, Brodehl, Buttrey, Connell, Cook, Doane, Dudik, Eck, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollenbaugh, Hoven, Howard, Jergeson, D. Jones, Knudsen, Lang, Lenz, Lieser, McChesney, McNally, Pease-Lopez, Randall, Redfield, Reichner, Rosendale, Salomon,

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Shaw, B. Smith, Stewart-Peregoy, Wagoner, Washburn, Welborn, Windy Boy, referred to Transportation.

HB 300, introduced by Salomon, Hertz, Larsen, Taylor, referred to Transportation.

HB 301, introduced by Halvorson, referred to Education.

HB 302, introduced by Kerns, Ballance, G. Bennett, Blasdel, Blyton, Cook, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Jackson, Knudsen, Lang, Lewis, F. Moore, Osmundson, Priest, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Taylor, Thomas, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wittich, referred to Judiciary.

HB 303, introduced by Kerns, Ballance, B. Bennett, G. Bennett, Berry, Blasdel, Blyton, Connell, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Jackson, Kary, Knudsen, Lang, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Shaw, C. Smith, Thomas, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, referred to Judiciary.

HB 304, introduced by Kerns, Ballance, G. Bennett, Blasdel, Blyton, Cuffe, Doane, Edmunds, Fiscus, Galt, Glimm, Halvorson, Hansen, Harris, Hertz, Ingraham, Jackson, Kary, Knudsen, Lenz, Lewis, Miller, F. Moore, O'Neil, Osmundson, Priest, Randall, Regier, Reichner, Shaw, C. Smith, Taylor, Thomas, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, referred to Judiciary.

HB 305, introduced by Lang, Knudsen, Sonju, referred to Transportation.

HB 306, introduced by Ehli, Arthun, Augare, Debby Barrett, Blasdel, Boulanger, Brenden, Connell, Facey, Hertz, Jergeson, L. Jones, Larsen, Lewis, McChesney, Olson, Ripley, Salomon, Taylor, Thomas, Welborn, referred to Human Services.

HB 307, introduced by McClafferty, B. Bennett, Boland, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Lieser, Lynch, MacDonald, McChesney, McNally, Neill, Noonan, Pierson, Pomnichowski, B. Smith, Squires, Steenberg, Van Dyk, Williams, Woods, referred to Education.

HB 308, introduced by Lang, referred to Business and Labor.

HB 309, introduced by Wilmer, Van Dyk, referred to Human Services.

HB 310, introduced by C. Smith, Berry, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Hagan, Halvorson, Hansen, Hertz, Howard, D. Jones, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Hara, Osmundson, Redfield, Regier, Salomon, Shaw, Vance, Wagoner, Welborn, White, referred to Business and Labor.

HB 310, introduced by C. Smith, G. Bennett, Berry, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Hagan, Halvorson, Hansen, Hertz, Howard, D. Jones, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Hara, Osmundson, Redfield, Regier, Salomon, Shaw, Vance, Wagoner, Welborn, White, referred to Business and Labor.

HB 311, introduced by Jacobson, Fitzpatrick, referred to Judiciary.

HB 312, introduced by Redfield, Arthun, Debby Barrett, Brenden, T. Brown, Caferro, Coffin, Doane, Galt, Hamlett, Harris, Kary, Keane, Kerns, Larsen, Lewis, McClafferty, Olson, Priest, Ripley, Rosendale, Shaw, Vincent, Vuckovich, referred to Agriculture.

HB 313, introduced by Schreiner, Calf Boss Ribs, O'Hara, Price, Wilmer, referred to Education.

HB 314, introduced by Kary, Fiscus, D. Jones, Lenz, C. Smith, Webb, Zolnikov, referred to Local Government.

HB 315, introduced by Knudsen, Arthun, Ballance, Blasdel, Blyton, Brodehl, Connell, Edmunds, Glimm, Halvorson, Hansen, Harris, Hertz, Hoven, Jackson, D. Jones, Kary, Lewis, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Rosendale, Salomon, Schwaderer, Shaw, C. Smith, Thomas, Vance, Warburton, White, Windy Boy, Wittich, Zolnikov, referred to Education.

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The following Senate bills were introduced, read first time, and referred to committees:

SB 5, introduced by Buttrey (by request of the Select Committee on Efficiency in Government), referred to State Administration.

SB 32, introduced by Facey, referred to Education.

SB 35, introduced by Keane (by request of the Select Committee on Efficiency in Government), referred to State Administration.

SB 36, introduced by Murphy (by request of the Department of Administration), referred to State Administration.

SB 41, introduced by Buttrey, referred to Local Government.

SB 66, introduced by Arthun (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 87, introduced by F. Moore (by request of the Education and Local Government Interim Committee), referred to Education.

SB 121, introduced by Fielder, Larsen, F. Moore, Taylor, Thomas, Van Dyk, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 138 - Representative Salomon moved **HB 138**, second reading copy, be amended as follows:

1. Page 6, line 27 through page 7, line 1.

Strike: subsection (1) in its entirety

2. Page 7, line 2.

Strike: "(2)"

Following: "MAY"

Insert: ", with the approval of the department,"

3. Page 7, line 4 through line 5.

Strike: "THE DEPARTMENT'S" on line 4 through "." on line 5

Amendment adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: Osmundson, Warburton, Zolnikov, Aye.

Excused: Reichner.
Total 1

Absent or not voting: Price.
Total 1

HB 138 - Representative Hertz moved **HB 138**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Osmundson, Reichner, Warburton, Zolnikov, Aye.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 169 - Representative White moved **HB 169** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Edmunds, Fiscus, Gibson, Harris.

Total 4

Voted Absentee: Osmundson, Reichner, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 193 - Representative Hagan moved **HB 193** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Voted Absentee: Osmundson, Reichner, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 202 - Representative Hagan moved **HB 202** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Osmundson, Reichner, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 243 - Representative Wilson moved **HB 243** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Osmundson, Reichner, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Osmundson, Reichner, Warburton.
Total 3

Absent or not voting: Randall.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 130 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Edmunds, Kerns, Squires.

Total 3

Voted Absentee: None.

Excused: Osmundson, Reichner, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 145 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Osmundson, Reichner, Warburton.

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Total 3

Absent or not voting: None.

Total 0

HB 172 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Osmundson, Reichner, Warburton.

Total 3

Absent or not voting: Ankney.

Total 1

MOTIONS

Majority Leader Vance moved **HB 267** be moved from the Appropriations committee to the Joint Appropriations Subcommittee on Long-Range Planning committee.

Majority Leader Vance moved **HB 287** be moved from the Judiciary committee to the Business and Labor committee.

SPECIAL ORDERS OF THE DAY

Representative McNiven introduced the Wittorff Family Fiddler's from Shepherd, Montana who performed for the House. The three family members were presented with certificates of Honorary Membership to the Montana House of Representatives.

Representative Coffin thanked the pages for their service.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, January 28, 2013. Motion carried.

House adjourned at 1:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTEENTH LEGISLATIVE DAY**

Helena, Montana
January 28, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Ballance. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Calf Boss Ribs and Whitford, excused. Quorum present.

MOTIONS

Majority Leader Vance moved the House recess for the purpose of receiving an address by the Honorable Congressman for the State of Montana, Steve Daines. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Blasdel requested Sergeant-at-Arms Spencer admit the Honorable Senate into the House Chambers.

Speaker Blasdel introduced Senate President Essmann and yielded the chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving an address from the Honorable Congressman for the State of Montana, Steve Daines. Motion carried.

Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Congressman Daines that the body was in joint session and ready to receive his address. Motion carried.

President Essmann appointed Senator Jackson, Senator Tropila, Representative Glimm, and Representative Dudik to escort Chief Justice McGrath into the House Chambers.

Sergeant-at-Arms Ritter announced that Congressman Daines, was awaiting entrance to the House.

The Committee escorted Congressman Daines into the chambers.

President Essmann introduced Congressman Daines to the Joint Session.

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Congressman Daines gave the following remarks:

President Essmann, Speaker Blasdel, Senator Sesso and Representative Hunter. Members of the Montana State Senate and State House. Governor Bullock, Secretary of State McCulloch, Attorney General Fox, and other elected officials.

It's an honor to be here with you today. And it's great to be home. I want to give a special hello to all of the brand new legislators out there. I can relate. I am grateful for your willingness to serve the people of Montana. I have a deep appreciation for our state's true "citizen legislature." It's something that sets Montana apart from other states, and I think is a true reflection of how our elected leaders should serve.

Here, the people who pass the laws—all of you--will go home in 90 days or so and actually have to work and live under those same laws. Our citizen legislators remain connected to those they serve, because they work and live in those same communities. You know what it means to create jobs, because you still own a small business. You understand how precious our states resources are, because when you get home, there will still be fields to cultivate and crops to eventually harvest, cows to take care of.

You know how important education is to our kids' futures, because you have kids still in school—or are an educator yourself. Most importantly, you understand the importance of working together and putting politics and personality aside so that our kids and grandkids—so that our state—can have the best future possible.

It's a lesson that Washington needs to learn, and I hope it's an attitude that remains unwavering as you work through this year's legislative session. As Montana's sole voice in the U.S. House of Representatives, this is a principle that I strive to live by as well.

Senator Baucus, Senator Tester and myself make up just three voices among 535 in Washington, D.C. Needless to say, we're a bit outnumbered. So it's critical that our Montana voice is strong. It's important that we work together in Washington, to put Montana first, and that we also work closely with each of you. I enjoyed meeting with the Senators on my first day in office—some of you may have seen the photos of the three of us in my DC office.

And speaking of having Montanans back in Washington. My wife of 26 years, Cindy, was unable to join me for President Obama's inauguration last week, so I had a spare ticket for one of the best seats in the house. And I looked at it, and thought "Someone from Montana should get this." And I was delighted that our own Secretary of State, Linda McCulloch, was able to join me. I hear it's the first inauguration she's been to since Nixon's.

I also got to join Senator Baucus and our new governor, Steve Bullock, for what has become a Montana Inauguration Day tradition. The three of us, along with the Governor's daughter Caroline, had the opportunity to saddle up and ride horses all the way down Pennsylvania Avenue, from the U.S. Capitol to the White House. I just prayed it didn't turn into a rodeo. And if it did, I was ready to hang on for eight seconds and ride to the buzzer. It was such an honor to join Max and Steve for that ride. And I truly appreciate both of our Senators going out of their way to welcome me to

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Congress earlier this month.

You know, we won't always agree on everything. And that's okay. But we know that working for our state and the people who call Montana home must always remain our number one goal. And to best serve the people of Montana, we all need to work together. And we need to also work with all of you here at home.

It's hard to believe that it's already been nearly a month since I was sworn into office. I was honored to have my wife, Cindy, my four kids, my parents, and my sister and her family join me in Washington, D.C. that day. I can't think of anyone more important to share that moment with than my family.

While taking the oath of office, I held on to this little tattered Bible that had been passed down by my grandfather, who was born and raised in Conrad, Montana. And two of my children, Caroline and Michael, sat next to me on the House floor. I was reminded in that moment that the things that are most important to me as a father are also most important to me as Montana's Congressman: what I pass down to my children. My grandfather passed down more than a little tattered Bible. He passed down common sense Montana values. Values that have shaped who I am today.

My great-great-grandmother first came to Montana as a widow seeking a better future for her children, and she found it outside of Conrad, Montana. Montana pioneers made a future in our state because they shared common sense values of hard work, saving for the future and helping their neighbors. Five generations later, we have the same responsibility to our children to save, to work hard and to hand down a future rich with opportunity and freedom. It's a stark comparison to what we're seeing in Washington, D.C.

It goes without saying, but I'll say it anyway: Washington is broken. From run-away spending to record deficits, Washington has a habit of rewarding all the wrong behaviors. That town doesn't promote success--it promotes failure.

I come from a business background, as I know many of you do. As any hardworking Montana taxpayer knows, families must balance their budgets...small businesses must balance their budgets...the state of Montana must balance its budget. It's about time Washington, D.C. did the same.

Washington consistently fails to live within its means. Washington knows how to cut deals. Montanans want them to solve problems. Washington has emerged from recession better than any other region in the country. Seven of the 10 wealthiest counties in the nation are found in the greater Washington, D.C. area, with a median income of more than \$100,000. That's more than twice the median income of Montana families.

While hard working families from across the United States have had to make sacrifices, Washington continues to spend without limit, to reward inaction, and put special interests ahead of the needs of American families. Thankfully, we do things a little differently in Montana. I can think of no better example of what makes America great than the Treasure State.

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Our Montana values—putting faith and family first, never being afraid of a hard day's work, taking responsibility for ourselves and our actions—these principles have shaped our state for the better. We value our resources and take pride in hard work and innovation. We honor the legacy that our grandparents and our veterans left us. Because we know that these lessons, these values, are what has allowed our state to prosper and grow.

Now, despite what we all believe and will tell to any out-of-stater who thinks differently, things aren't always perfect in Montana. But we learn from our mistakes, and we work to make things better. In Montana we don't give up. And we don't settle for "good enough" when we know that better is possible.

We have great success stories here in Montana. The City of Billings is a good example of this. Not too long ago, the city was in tough financial shape. So, they made tough decisions and introduced priority-based budgeting. Departments broke down operations into a series of programs, attached the cost and staffing level for those programs and ranked them by priority.

Seems like common sense—the sort of thing we do around the dinner table at home. This is just one example of taking common sense ideas and creating real solutions. We need to bring these common sense Montana solutions to Washington, D.C.

That's why I'm here today—to learn from all of you. And that's why I am spending the coming week meeting with Montanans who are innovators in business, public service, and education and have the real experience and real results needed in Washington if we want to pass down the same opportunities to our children.

We are fighting to protect the things we value and to leave a better future to the next generation. It's that simple—but it's not going to be easy.

That's why I'm focused on three key principles—three common sense Montana values—that we need to bring to Washington to win this fight.

First, we must never forget where we came from and what we're fighting for.

Our parents and grandparents shaped this country, and worked hard to leave a better future for each of us. We must keep the promises we've made to our seniors and protect what they've worked for and deserve.

And we must never forget those who gave the most—our veterans. I know many of you here today have served—and for that we owe our eternal gratitude and thanks. And like me, many of you have parents or grandparents who have served in our armed forces. My dad was a Marine, and his service and sacrifice to our nation inspired me, and helped shape who I grew up to be.

He also instilled in me a deep appreciation of Montana's heritage. In Montana, we value our freedoms—and we know the importance of protecting them. That's why I'm committed to protecting and defending Montanans' second amendment rights. I grew up hunting with my dad and my grandpa—a tradition I've passed on to my kids. After the election in November, I cleared out my

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schedule, shut off my Blackberry, and took my youngest son and daughter hunting.

Speaking of my kids—in Montana, we know how important family is. Every day, I am inspired by my four children. They are the reason why I decided to run for Congress. Like many of you, I'm worried about the future we're going to leave for the next generation.

This is the first time in our nation's history where we're at risk of leaving the next generation a future that is worse than the one our parents gave to us. We must take concrete steps today to ensure that doesn't happen. We need to ensure our kids have the opportunities to obtain a quality education—and just as importantly, that there are actually jobs available once they graduate.

Which is why—second—we must work toward common sense solutions that grow our economy

Between miles of red tape, constantly changing regulations, and a tax code that's inches thick, it's no wonder that small businesses across the country are struggling. We have to make it easier for Montana businesses to grow and create jobs. It's time for real tax reform—a pro-growth tax code that provides American families and small businesses with certainty, not confusion, and encourages our small businesses to grow, invest, and hire new employees.

In this global economy, our competitors are no longer just down the street, or across the state, or across the country...they are now across the world. We need a tax code that enables American businesses with the ability to win in the global marketplace, and most importantly, create jobs.

We also need common sense regulatory reform. Let's remove the red tape and the out-of-touch regulations that hold back our businesses, our health care providers, our family farms and ranches, and our energy producers. There are businesses just waiting to hire Montanans. But when the rules can change at the blink of an eye, it's nearly impossible for our state's businesses to invest in new workers.

This is perhaps no more evident than the ongoing debate over the Keystone XL pipeline. Let me be clear—this project means jobs for Montanans. It means coming one step closer to North American energy independence. This isn't about politics—Republicans and Democrats alike support the pipeline. This is about American jobs.

It's time for President Obama to approve this project.

Montana has an abundance of natural resources, from our mountains and rivers to energy sources like coal and natural gas. Those of us in Montana understand the importance of being good stewards of our resources. I believe that Montanans know how to best protect the resources we value, and we also know how to best put them to use.

I'm excited about the new partnership between the Crow Tribe and Cloud Peak Energy. That agreement will open up access to more than one billion tons of coal. That means new, good-paying jobs. That means millions of dollars injected into the economy. We should be encouraging these kinds of partnerships—not putting up more roadblocks to common sense energy production.

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But to accomplish any of these objectives, we must get our country back on solid fiscal ground. We need to balance our budget. For those of you who are counting, that's number three.) When the Montana legislature adjourns this spring, you will have delivered a balanced budget for the people of Montana. I was looking over your website this week, and came across this: "Unlike the federal government, Montana state government cannot operate at a deficit. The state constitution requires the Legislature to balance the budget every session. In fact, passing a balanced budget is the only constitutionally required duty of the Legislature" I'd like to see this common sense approach embraced in Washington.

Because Washington has proven time and time again that it is unable to live within its means. Out-of-control spending, \$16 trillion in debt, the absence of a budget. Enough is enough. Washington politicians need to spend less, not take more. I am calling on Congress to come together and pass a budget that will balance our nation's budget within 10 years. Anything less is unfair to the next generation. To get our nation's spending under control, to balance our budget, and to preserve the things we value most, we must make Washington accountable. Montana families and small businesses understand that you can't spend more than you take in and that you need to balance your budget. These are common sense principles that Montanans live by every day—yet Washington refuses to follow them. It's absurd that Congress continues to refuse to fulfill the most basic requirement of their job—and that's passing a budget.

I've spent 28 years of my life in business, and I know that if you don't do your job, you don't get paid. We need to bring that same accountability to Washington. Our nation is facing a fiscal crisis, and Washington's refusal to balance its budget only drives us deeper into debt—threatening our economic recovery, the promises we've made to our seniors, and the future we hope to leave to the next generation.

Washington must be accountable to the American people. That's why I supported the "No Budget, No Pay" Act last week that passed the U.S. House on a bipartisan vote. It's simple—the House and the Senate must pass a budget, or the members' pay is withheld.

And by the way, this "No Budget No Pay" idea did not originate from folks like Paul Ryan or Eric Cantor... it originated from Democrat Jim Cooper of Tennessee. I signed on to Jim's bill as one of my first to-do's when I took office. You might recall, the U.S. Senate has not passed a budget in nearly four years. And this bill heads to the Senate next week—where it is expected to pass.

It's common sense—if you don't do your job, you don't get paid. No budget, no pay. Measures like this reflect the things we've seen work in Montana. Common sense business principles, that protect hardworking Montana taxpayers. We must make smart decisions today so that we can give to the next generation what they've been promised.

There's a fight ahead in Washington—a fight for the future for our kids, our state, our country. We need to get our nation's debt under control. We need to balance the budget. We need to make Washington accountable to the American people. To Montanans. To you. I know I can't do it alone. I know that the solutions won't just come from one person or one party. It all comes back to working together. To bringing common sense Montana ideas – like balancing a budget – to Washington, D.C., to ensure our elected leaders are accountable to the people they serve.

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I'm spending the rest of my week traveling the state and talking with Montana business owners, innovators, and community leaders, so that I can learn from and take those solutions to Washington. Because together, we can find solutions that put our nation back on track. Solutions that renew our economy and get Montanans back to work. Solutions that allow us to keep our promises to our grandparents and our veterans. Solutions that ensure we're leaving a better future for our kids.

It's been an honor to be here with you today. Thank you again for the work you're doing on behalf of our state—I look forward to working with all of you.

President Essmann thanked Congressman Daines and directed the committee of four to escort Congressman Daines from the Joint Session.

Senate Majority Leader Wittich moved that the Joint Session of the 63rd Legislature be adjourned. Motion carried.

House Session Reconvened.

BILLS (O'Hara, Chair): 1/28/2013

Correctly printed: **HB 91, HB 100, HB 122, HB 123, HB 127, HB 162, HB 199, HB 226, HB 316, HB 317, HB 318, HB 319, HB 320, HB 321, HB 322, HB 323, HJR 9.**

Transmitted to the Senate: **HB 130, HB 145, HB 172.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair): 1/28/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 1:00 p.m., Friday, January 25, 2013:

Frankie Needles, Clinton
Nathan Wyatt, Helena
Kayla Hallock, Laurel
Alex Wittorff, Shepherd
Ellen Kauzlarich, East Helena
Rylee Trude, Clancy

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, January 28, 2013:

Cayley Boyd, Bozeman
Ashley Finley, Cascade
McKenna Wilson, Kalispell
Jordann Duffy, Butte
Mark Hovland, Billings
Ben Yturri, Great Falls

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Joseph Giles, Great Falls
Megan Crossland, Cascade
Report Adopted.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair): 1/28/2013
HB 226, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 1/26/2013

SB 24, introduced by Rosendale
SB 55, introduced by Kaufmann
SB 57, introduced by Jent
SB 61, introduced by Ripley
SB 62, introduced by Ripley
SB 67, introduced by Van Dyk
SB 69, introduced by Walker
SB 99, introduced by Olson

Senate joint resolution passed and transmitted to the House for concurrence: 1/26/2013

SJR 4, introduced by Keane

MESSAGES FROM THE GOVERNOR

January 25, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 1** sponsored by Representative Ankney on January 25, 2013.

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 316, introduced by Wilson, B. Bennett, Brockie, Driscoll, McClafferty, Pomnichowski, B. Smith, Swanson, Williams, referred to Taxation.

HB 317, introduced by Hunter, referred to Education.

HB 318, introduced by Mehlhoff, referred to Education.

HB 319, introduced by Pease-Lopez, referred to Human Services.

HB 320, introduced by B. Bennett, Ankney, Augare, Bangerter, Blyton, Boland, Curtis, Driscoll, Eck, Fitzpatrick, Gibson, Hertz, Hunter, Jent, Keane, Larsen, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, D. Moore, Peppers, Pierson, Pomnichowski, Price, Rosendale, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Vuckovich, Walker, Wanzenried, Whitford, Wilmer, Wilson, Woods, referred to Joint Select Committee on Pensions.

HB 321, introduced by Greef, referred to State Administration.

HB 322, introduced by Cuffe, referred to Agriculture.

HB 323, introduced by Cuffe, referred to Agriculture.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 9, introduced by McNiven, Ankney, G. Bennett, Berry, Blasdel, Brodehl, T. Brown, Clark, Connell, Cuffe, Edmunds, Fitzpatrick, Glimm, Hagan, Halvorson, Hertz, D. Jones, Kary, Keane, Knudsen, Lang, D. Moore, Olson, Randall, Rosendale, Salomon, Schwaderer, C. Smith, Vance, Wittich, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lenz in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 91 - Representative Lynch moved **HB 91** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 100 - Representative Ehli moved **HB 100** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,
Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,
Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,
MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,
Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall,
Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires,
Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford,
Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Kary, Kerns, Osmundson, B. Smith.
Total 4

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 122 - Representative B. Bennett moved **HB 122** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli,
Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill,

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Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Cuffe, Doane, Fitzpatrick, Galt, Glimm, Halvorson, Kerns, Knudsen, Lavin, McNiven, Miller, O'Neil, Osmundson, Redfield, Schwaderer, C. Smith, Vance, Welborn, Zolnikov.

Total 19

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 - Representative Regier moved **HB 123** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 127 - Representative Berry moved **HB 127** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 71

Nays: J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fitzpatrick, Flynn, Hansen, Hertz, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, Welborn, Zolnikov, Mr. Speaker.

Total 29

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 162 - Representative Flynn moved **HB 162** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 199 - Representative Noonan moved **HB 199** do pass. Motion carried as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 70

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Court, Cuffe, Doane, Glimm, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kerns, Lang, Laszloffy, Lenz, McNiven, O'Hara, Osmundson, Redfield, Regier, Reichner, C. Smith, Wagoner, White.

Total 30

Voted Absentee: Boss Ribs, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lenz moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: Lenz.
Total 1

Voted Absentee: None.

Excused: Boss Ribs, Whitford.
Total 2

Absent or not voting: Schwaderer.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 138 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Whitford.
Total 2

Absent or not voting: Lynch.
Total 1

HB 169 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,

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Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Whitford.

Total 2

Absent or not voting: None.

Total 0

HB 193 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Whitford.

Total 2

Absent or not voting: None.

Total 0

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HB 202 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Whitford.

Total 2

Absent or not voting: None.

Total 0

HB 243 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Whitford.

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Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 100** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 187** be moved to the Business and Labor committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, January 29, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
NINETEENTH LEGISLATIVE DAY**

Helena, Montana
January 29, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Shaw. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

1/29/2013

Correctly printed: **HB 18, HB 19, HB 28, HB 38, HB 81, HB 140, HB 168, HB 182, HB 184, HB 188, HB 189, HB 232, HB 248, HB 250, HB 324, HB 325, HB 326, HB 327, HB 328, HB 329, HB 330, HB 331, HB 332, HJR 7, SB 8, SB 50.**

Correctly engrossed: **HB 24, HB 37, HB 106, HB 206.**

Transmitted to the Senate: **HB 138, HB 169, HB 193, HB 202, HB 243.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

1/28/2013

HB 38, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/28/2013

HB 250, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

1/28/2013

HB 37, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "85-2-407,"

Strike: "or"

Following: "85-2-408"

Insert: ", or 85-2-436"

2. Page 1, line 19.

Strike: "10"

Insert: "5"

3. Page 1, line 23.

Following: line 22

Insert: (c) The point of diversion for the appropriation right may not be changed."

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4. Page 3, line 4 through line 6.

Strike: "If the" on page 3, line 4 through line 6

Insert: "The department shall issue an order reinstating approval for the use of the appropriation right under the lease if the applicant proves by a preponderance of the evidence that the water rights of other appropriators will not be adversely affected by the lease."

5. Page 3, line 16.

Following: line 15

Insert: "(15) The department shall report annually to the water policy interim committee provided for in 5-5-231. The report must include the number of leases, the amount of water leased, and the number of irrigated acres taken out of production."

And, as amended, do pass. Report adopted.

HB 248, do pass. Report adopted.

HJR 7, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/29/2013

HB 184, do pass. Report adopted.

HB 232, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

1/29/2013

HB 206, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "\$50" through "plaintiff;"

Insert: "when a complaint is filed, the following fee to be paid by the plaintiff:

- (a) \$30 in 2013;
- (b) \$35 in 2014;
- (c) \$40 in 2015;
- (d) \$45 in 2016; and
- (e) \$50 in 2017 and subsequent years;"

2. Page 1, line 16.

Strike: "\$25"

Insert: "fee provided in subsection (1)"

And, as amended, do pass. Report adopted.

SB 8, be concurred in. Report adopted.

SB 50, be concurred in. Report adopted.

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1/29/2013

NATURAL RESOURCES (Bennett, Chair):

HB 24, introduced bill, be amended as follows:

1. Title, page 1, line 9 through line 10.

Strike: "23-2-501," on line 9 through "23-2-806," on line 10

2. Title, page 1, line 11.

Strike: "87-1-306,"

3. Page 2, line 2.

Strike: "5, 6, 8,"

4. Page 2, line 9.

Strike: subsection (7) in its entirety

5. Page 2, line 14.

Strike: "5, 6, 8,"

6. Page 2, line 17.

Strike: "in a way that promotes their importance"

Insert: "and their appropriate role relative"

7. Page 2, line 20.

Strike: "and"

Following: "boating"

Insert: ", and swimming"

8. Page 2, line 22.

Following: "properties"

Strike: ", "

Insert: "and"

Following: "lands"

Strike: ", and waters"

9. Page 2, line 23.

Following: "safety,"

Insert: "public welfare,"

10. Page 2, line 24.

Following: "regulating"

Insert: "recreation, including"

Following: "camping,"

Insert: "and swimming, and"

11. Page 2, line 24 through line 26.

Following: "sanitation" on line 24

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Strike: ", swimming," on line 24 through "surfboarding" on line 26

12. Page 2, line 30.

Following: "department"

Insert: ", except as provided in 87-1-209(4)"

13. Page 3, line 3 through line 4.

Strike: "\$1,000" on line 3 through "than" on line 4

14. Page 5, line 24.

Following: "of the"

Insert: ":",
(1)"

Following: "2-15-3402"

Insert: "; and
(2) state parks and recreation board established in [section 1]"

15. Page 7, line 27.

Strike: "With the consent of the board, the"

Insert: "The"

16. Page 8, line 1.

Following: "(b)"

Insert: "with the consent of the board,"

17. Page 8, line 25.

Strike: "this section"

Insert: "subsection (3)"

18. Page 14, line 19 through page 22, line 1.

Strike: section 20 through section 30 in their entirety

Renumber: subsequent sections

19. Page 28, line 25.

Strike: "or the board"

20. Page 28, line 26.

Following: "regulations"

Insert: "or by the board setting seasonal land use regulations"

21. Page 29, line 16.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

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22. Page 31, line 19.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

23. Page 31, line 20.

Following: "87-1-218"

Insert: "and subsection (8) of this section"

24. Page 33, line 18.

Following: "land."

Insert: "(8) Approval of the board for the acquisition or disposal of land or water pursuant to this section is required only for land and water administered under Title 23, chapter 1, or Title 23, chapter 2, parts 1 and 4."

25. Page 34, line 13.

Following: "section 2"

Strike: ", 23-2-501,"

26. Page 36, line 21.

Strike: "5, 6, 8,"

27. Page 36, line 30.

Strike: "[section 2], 23-2-501, and"

28. Page 37, line 29 through page 38, line 11.

Strike: section 42 in its entirety

Renumber: subsequent sections

29. Page 40, line 6.

Strike: "5, 6, 8,"

And, as amended, do pass. Report adopted.

HB 106, introduced bill, be amended as follows:

1. Page 10, line 1.

Following: "preliminarily"

Insert: "determined to be"

2. Page 10, line 3.

Following: "preliminarily"

Insert: "determined to be"

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3. Page 15, line 1.

Following: "petition"

Insert: "if the department finds, on the basis of information reasonably available to it, that the petition as proposed in the application will not adversely affect the rights of other appropriators"

4. Page 15, line 6.

Following: "petition does"

Insert: "not"

5. Page 17, line 20.

Following: "effect."

Insert: "A determination of whether or not there is an adverse effect on a prior appropriator as the result of a new appropriation right is a determination that must be made by the department based on the rate, location, and timing of the net depletion that causes the adverse effect relative to the historic beneficial use of the appropriation right that may be adversely affected."

6. Page 17, line 27 through line 29.

Strike: "If the department" on line 27 through "that the potential" on line 29

Insert: "The department may grant a permit for a new appropriation only if the applicant proves by a preponderance of the evidence that the"

7. Page 19, line 2.

Strike: "could"

Insert: "may"

8. Page P19, line 2 through line 3.

Strike: "and a potential" on line 2 through "appropriator" on line 3

Following: "depletion" on line 3

Insert: ", if any"

9. Page 20, line 22 through line 24.

Strike: "If the department" on line 22 through "is required." on line 24

Insert: "An applicant whose hydrogeologic report conducted pursuant to 85-2-361 predicts that there will be a net depletion of surface water shall submit an aquifer recharge or mitigation plan."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/28/2013

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SB 26, introduced by Jergeson
SB 70, introduced by Walker
SB 90, introduced by Olson
SB 141, introduced by Olson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 324, introduced by Warburton, referred to Fish, Wildlife and Parks.
HB 325, introduced by Regier, referred to State Administration.
HB 326, introduced by Flynn, Ballance, Fielder, White, referred to Local Government.
HB 327, introduced by Wilmer, referred to State Administration.
HB 328, introduced by Washburn, referred to Fish, Wildlife and Parks.
HB 329, introduced by Brodehl, Blasdel, Blyton, Ehli, Fiscus, Harris, Howard, Kary, Knudsen, McNiven, O'Hara, O'Neil, Regier, C. Smith, Vance, White, referred to State Administration.
HB 330, introduced by Fitzpatrick, Jent, referred to Judiciary.
HB 331, introduced by Wilson, B. Bennett, Boland, Coffin, Edmunds, Gursky, Hill, Jacobson, Lenz, MacDonald, Mehlhoff, D. Moore, O'Hara, Pomnichowski, Steenberg, referred to Transportation.
HB 332, introduced by McNally, B. Bennett, Boland, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Jacobson, Larsen, MacDonald, McCarthy, McClafferty, Noonan, Pierson, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, referred to Taxation.

The following Senate bill was introduced, read first time, and referred to committee:

SB 141, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Redfield in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 18 - Representative Hollenbaugh moved **HB 18** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 19 - Representative Hollandsworth moved **HB 19** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: J. Bennett, Doane, Kerns, C. Smith, White.
Total 5

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 28 - Representative Bangerter moved **HB 28** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 81 - Representative Ankney moved **HB 81** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

Nays: Ballance, Doane, Flynn, Hansen, Jones, Kerns, Knudsen, McNiven, Miller, O'Neil, Schwaderer, C. Smith, Zolnikov.
Total 13

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 140 - Representative Berry moved **HB 140** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Coffin, Kerns, McCarthy, Miller, O'Neil, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 182 - Representative Ballance moved **HB 182** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy,

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McClafferty, McNally, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 168 - Representative D. Moore moved **HB 168** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, O'Hara, O'Neil, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Steenberg, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 68

Nays: Ankney, B. Bennett, J. Bennett, Coffin, Cuffe, Curtis, Doane, Ehli, Flynn, Hill, Kerns, Lieser, McCarthy, McNally, Miller, Noonan, Peppers, Pomnichowski, Schreiner, Schwaderer, B. Smith, Squires, Swanson, Vance, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 31

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

HB 188 - Representative Boland moved **HB 188**, second reading copy, be amended as follows:

1. Page 2, line 8.

Strike: "3"

Insert: "10"

2. Page 2, line 14.

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Strike: "3"

Insert: "10"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Galt, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 188 - Representative Regier moved **HB 188** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Galt, Gursky, Hill, Hunter, Jacobson, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 37

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 189 - Representative Lenz moved **HB 189** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Berry, Cook, Doane, Hagstrom, Jones, Kerns, O'Neil, Regier, C. Smith, Wagoner, Warburton.

Total 12

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Redfield moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 91 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: McClafferty.
Total 1

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HB 122 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Kerns, Knudsen, Lang, McNiven, Miller, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Vance, Warburton, Welborn, Zolnikov, Mr. Speaker.

Total 25

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 123 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 127 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 72

Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Glimm, Hansen, Hertz, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, Zolnikov, Mr. Speaker.

Total 28

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 162 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

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Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 199 passed as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 68

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Court, Cuffe, Doane, Fiscus, Fitzpatrick, Glimm, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kerns, Lang, Laszloffy, Lenz, McNiven, O'Hara, Osmundson, Redfield, Regier, Reichner, C. Smith, White, Williams.
Total 32

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 19** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 168** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 189** be moved to the Appropriations committee.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, January 30, 2013. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTIETH LEGISLATIVE DAY**

Helena, Montana
January 30, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brockie. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative O'Hara, excused. Quorum present.

BILLS (O'Hara, Chair): 1/30/2013

Correctly printed: **HB 66, HB 152, HB 163, HB 170, HB 192, HB 224, HB 225, HB 259, HB 261, HB 333, HB 334, HB 335, HB 337, HB 338, HB 339, HB 340, HB 341, HB 342, HB 343, HB 345, SB 29, SB 46, SB 47.**

Correctly engrossed: **HB 120, HB 126, HB 128, HB 147, HB 208, HB 245.**

Transmitted to the Senate: **HB 91, HB 122, HB 123, HB 127, HB 162, HB 199.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 1/29/2013

HB 128, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 31.

Following: line 30

Insert: "**NEW SECTION.** **Section 4. Termination.** [This act] terminates June 30, 2020."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair): 1/29/2013

HB 147, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "Except as provided in subsection (3), a"

Insert: "A"

2. Page 1, line 14.

Strike: "\$150"

Insert: "\$135"

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3. Page 1, line 15.

Strike: "violation of this section for"

Insert: "second offense of"

Strike: "a big game animal"

4. Page 1, line 16.

Following: "landowner"

Insert: "within 5 years"

5. Page 1, line 19.

Following: "bail"

Strike: ", "

Insert: ":"

(a)"

6. Page 1, line 22.

Following: "time"

Insert: "; and

(b) may be ordered to make restitution for property damage resulting from the violation in an amount and manner to be set by the court. The court shall determine the manner and amount of restitution after full consideration of the convicted person's ability to pay the restitution. Upon good cause shown by the convicted person, the court may modify any previous order specifying the amount and manner of restitution. Full payment of the amount of restitution ordered must be made prior to the release of state jurisdiction over the person convicted"

And, as amended, do pass. Report adopted.

HB 170, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

1/29/2013

HB 208, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: "**Section 1.**"

Strike: "Solid"

Insert: "**Publicly owned solid**"

Following: "A"

Insert: "publicly owned"

2. Page 1, line 10.

Following: "and employees of a"

Insert: "publicly owned"

And, as amended, do pass. Report adopted.

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HB 245, introduced bill, be amended as follows:

1. Page 1, line 9.

Following: "to the public use as"

Insert: "county"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/30/2013

HB 224, do pass. Report adopted.

HB 225, do pass. Report adopted.

SB 29, be concurred in. Report adopted.

SB 46, be concurred in. Report adopted.

SB 47, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/29/2013

SJ 6, introduced by Olson

SB 49, introduced by Ripley

SB 116, introduced by Arthun

SB 123, introduced by Van Dyk

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 333, introduced by Price, Hill, Lieser, B. Smith, Steenberg, Washburn, Woods, referred to Business and Labor.

HB 334, introduced by Eck, referred to Transportation.

HB 335, introduced by Eck, referred to Judiciary.

HB 337, introduced by Redfield, Flynn, Galt, Randall, Welborn, referred to Agriculture.

HB 338, introduced by Regier, referred to Joint Select Committee on Pensions.

HB 339, introduced by Miller, Blasdel, Doane, Halvorson, Knudsen, Olson, Rosendale, referred to Taxation.

HB 340, introduced by McCarthy, referred to Human Services.

HB 341, introduced by McCarthy, referred to Human Services.

HB 342, introduced by McCarthy, referred to Human Services.

HB 343, introduced by McCarthy, referred to Human Services.

HB 345, introduced by C. Smith, Blasdel, Fitzpatrick, Knudsen, Vance, Zolnikov, referred to Business and Labor.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Woods in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 66 - Representative Hoven moved **HB 66** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 71

Nays: Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Halvorson, Harris, Howard, Kary, Kerns, Knudsen, Laszloffy, Lenz, Miller, O'Hara, Osmundson, Randall, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.
Total 29

Voted Absentee: O'Hara, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 120 - Representative Howard moved **HB 120**, second reading copy, be amended as follows:

1. Page 24, line 30.

Following: "elections."

Insert: "The address confirmation form must request the last four digits of the elector's social security number."

2. Page 25, line 3.

Following: "sent,"

Insert: "provide the last four digits of the elector's social security number,"

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Amendment **not** adopted as follows:

Yeas: Ankney, Ballance, Bangerter, Brodehl, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Lang, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Randall, Regier, Reichner, Salomon, C. Smith, Warburton, Washburn, Welborn.

Total 41

Nays: B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Galt, Gursky, Halvorson, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Knudsen, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 58

Voted Absentee: O'Hara, Aye.

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 120 - Representative Halvorson moved **HB 120**, second reading copy, be amended as follows:

1. Title, page 1, line 14.

Strike: "LOT"

Insert: "THE COUNTY CENTRAL COMMITTEE"

2. Page 47, line 12.

Strike: "by lot"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 67

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Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hansen, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Pierson, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Williams, Wilson, Woods.

Total 33

Voted Absentee: O'Hara, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 120 - Representative Ingraham moved **HB 120**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 69

Nays: Ballance, J. Bennett, Berry, Cuffe, Doane, Ehli, Fiscus, Flynn, Galt, Glimm, Halvorson, Hoven, Kerns, Knudsen, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 31

Voted Absentee: O'Hara, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 126 - Representative Ingraham moved **HB 126**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

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2. Title, page 1, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

3. Page 18.

Following: line 4

Insert: "NEW SECTION. **Section 24. Effective date.** [This act] is effective on passage and approval."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Regier, White.

Total 2

Voted Absentee: O'Hara, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 126 - Representative Ingraham moved **HB 126**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 62

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Nays: Ballance, J. Bennett, Berry, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Jones, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Miller, O'Hara, O'Neil, Osmundson, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov.
Total 38

Voted Absentee: O'Hara, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 143 - Representative Schwaderer moved **HB 143** do pass. Motion **failed** as follows:

Yeas: Bangerter, J. Bennett, Clark, Connell, Cook, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Halvorson, Hansen, Hollandsworth, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.
Total 43

Nays: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagstrom, Harris, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 57

Voted Absentee: O'Hara, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 152 - Representative Fitzpatrick moved **HB 152** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: O'Hara, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 163 - Representative Flynn moved **HB 163** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 65

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilmer, Wilson, Woods.
Total 35

Voted Absentee: O'Hara, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 192 - Representative Hagan moved **HB 192** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Flynn, O'Hara, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 259 - Representative Hunter moved **HB 259** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Flynn, O'Hara, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 261 - Representative Berry moved **HB 261** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kerns.

Total 1

Voted Absentee: Flynn, O'Hara, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Woods moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

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Nays: None.

Total 0

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 18 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: None.

Total 0

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HB 28 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: None.

Total 0

HB 38 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

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Total 0

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: Kary.

Total 1

HB 81 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Doane, Fiscus, Kerns, McNiven, Miller, O'Neil, Schwaderer, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: None.

Total 0

HB 140 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin,

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Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 91

Nays: Coffin, Kerns, McCarthy, Miller, O'Neil, Schwaderer, Zolnikov.
Total 7

Voted Absentee: None.

Excused: Flynn, O'Hara.
Total 2

Absent or not voting: None.
Total 0

HB 182 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: Flynn, O'Hara.
Total 2

Absent or not voting: None.

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Total 0

HB 188 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Galt, Gursky, Hill, Hunter, Jacobson, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Flynn, O'Hara.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 66** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 163** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 279** be moved from the Judiciary committee to the Agriculture committee.

Representative Wilmer moved to change her vote on **HB 188** from Yes to No. Without objection, so ordered.

Representative Halvorson moved to change his vote on the amendment to **HB 120** from Not Voting to Yes. Without objection, so ordered.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House recess until 6:40 p.m., Thursday, January 31, 2013. Motion carried.

House recessed at 2:45 p.m.

House reconvened at 6:40 p.m. Mr. Speaker Presiding.

MOTIONS

Majority Leader Vance moved that the House resolve itself into a joint session for the purpose of receiving the State of the State Address from the Honorable Steve Bullock, Governor of the State of Montana. Upon adjournment of the Joint Session, the House will be adjourned until the hour of 1:00 p.m., Thursday, January 31st. Motion carried.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was waiting outside the Chamber. Speaker Blasdel requested Sergeant-at-Arms Spencer to admit the Honorable Senate into the House chamber. Speaker Blasdel introduced Senate President Essmann and yielded the Chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving the State of the State address from the Honorable Steve Bullock, Governor of the State of Montana. Motion carried.

Senate Majority Leader Wittich moved that the President be authorized to appoint a committee of four to notify the Governor that we are in joint session and ready to receive the State of the State address. Motion carried.

President Essmann appointed Senator Taylor Brown, Senator Vuckovich and Representative Hagstrom and Representative MacDonald and discharged them to escort the Governor into the Chamber.

President Essmann asked the members to stand for the invocation by Father Lowney and a native prayer by Representative Calf Boss Ribs.

The Posting of the Colors was done by members of the Joint Service Color Guard.

President Essmann welcomed Representatives McNiven, Bangerter, Woods, Gursky, and Laszloffy who performed the National Anthem.

President Essmann thanked the Joint Service Color Guard and the Representatives who performed.

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Sergeant-at-Arms Ritter announced that the Honorable, Governor Steve Bullock and the committee of four awaited entrance to the House.

President Essmann directed Sergeant-at-Arms Ritter to please admit the Governor.

President Essmann introduced to the audience and the people of Montana the Governor of the State of Montana, the Honorable Steve Bullock.

Governor Bullock made the following remarks:

Lieutenant Governor Walsh, Mr. President, Mr. Speaker, Members of the 63rd Legislature, and honored members of the judiciary. My fellow statewide officials, tribal leaders, members of the Cabinet, and my fellow Montanans. My wife Lisa, our three children, Caroline, Alex and Cameron.

My name is Steve and I work for the state. I, like my 12,000 coworkers, arrive at the jobsite each day to serve the people of Montana. It is an honor and pleasure to be the public servant entrusted with delivering this address. Any change of administration naturally brings change to the Governor's mansion – changes in substance, style, and perspective.

With the Bullocks moving into the neighborhood, some of that change is unavoidable. It's been 40 years since the predominant noise emanating from the Governor's mansion has been the sound of young children – children playing, laughing, just being kids. That noise will be a daily reminder to me . . . and I hope to all of us . . . of the reason we were sent here. Montana voters sent us here to make all our children's and grandchildren's futures brighter, more hopeful and more prosperous here in the state of Montana.

If we are genuine in our concern for our children's future, we'll be as careful with the state's money as we teach our children to be with theirs. If we accept that this is more about their generation than ours, we will enter this building every day committed to creating even greater opportunities than we had.

If we are truly committed to making our children's future brighter, we will invest in our education system. From before they enter kindergarten to the time they leave higher education, we must prepare them to succeed in a 21st Century economy. And if we are sincere in our concern for the next generation, how we deal with one another matters, not only during this session but also throughout the campaigns that bring us to these positions of public trust. Every day, our kids watch what we do and learn from our example.

Members of the 63rd Legislature, I ask you to join me. What I ask of you tonight is simple and straightforward: First, be responsible with our budget, because I won't allow you to spend more than we take in or make cuts that undermine our long-term stability. Second, join me in focusing on creating jobs, investing in education, and making government more effective; and lastly, act in a manner that we're not ashamed to have our children watching...because they are.

I am taking these principles to heart, and we've hit the ground running to create better jobs,

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better schools and a more effective government.

A company recently came to the state of Montana and said they'd like to locate a manufacturing facility in Great Falls, but they needed a workforce ready for the high-tech welding and fitting they do. These high-paying jobs are exactly the kind that Montana should be attracting. That's why we've already been working with Great Falls College. They will begin training workers to fill these jobs, and this company is now committed to investing in the Electric City.

As part of this new program, we'll also ensure that students at the high schools in Great Falls can graduate with the certificates that will make them attractive candidates for these great jobs.

Not only is that better jobs, but it's better schools, too.

I've pledged to bring a more effective government to Montana – and we're doing that already, too. This Thursday, for the first time ever, Montana's checkbook will be online. We'll have a searchable database so that any Montanan – or anyone in the world, for that matter – can look at how we are spending the taxpayers' money. It's the right thing to do and it'll lead to a more effective government.

While there are some things I can accomplish without your active engagement and partnership, there are other areas where we need each other if we are going to make progress.

Crafting a budget is one of those areas where we need each other. Montana is the envy of other states: our unemployment is lower and our economy sounder. While nearly every other state's budget is awash in red ink, thanks to good fiscal management, Montana has amassed a half-billion-dollar budget surplus.

Our state is strong and we're growing stronger. To continue improving our position, Montanans want us to take a balanced approach: Let's save some, invest some and give some back.

Saving some ought to be simple. I have asked that you leave this legislative session with a rainy day fund, enough money in the bank so I don't have to call the legislature back to Helena eight months or a year from now.

That means that we're going to have to prioritize, just like families do in your districts. Our priorities must start with addressing the essential services Montanans need and the long-term liabilities those before us created. Keep in mind that if I pull out my veto pen, it might not be personal, it might just be fiscal.

We can also invest some. I ask you to join me in prioritizing job creation, education and a more effective government. The first step you should take in creating jobs and investing in education is to put politics aside and pass the J.O.B.S. Bill. Montanans have earned a reputation for working harder than our counterparts in any state in the country. The quality of our workers attracts businesses to invest here.

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But we can't expect to develop a 21st Century workforce in 20th Century conditions. The next generation of plumbers and welders, nurses and imaging techs, diesel mechanics and carpenters are learning their trades in substandard facilities. The Missoula College was built in 1956 for 700 students and now has an enrollment approaching 3,000.

Last week I visited the Automotive and Diesel Program at Havre. It has 200 students, a 100% placement rate, and some graduates earn a starting salary better than a Governor. But without our investment, this program cannot grow. And it's not just Missoula and Havre; many of our facilities are outdated and operating beyond their capacity. The young Montanans who are willing to invest in higher education deserve better.

That's why Rep. Galen Hollenbaugh and I – along with the Montana Chamber of Commerce, the Montana Contractors Association and others – have joined together to propose record investments in our educational facilities.

It's called the J.O.B.S. Bill, which stands for Jobs and Opportunity by Building Schools. We can take advantage of historically low interest rates and immediately create thousands of jobs across the state – and do it without raising taxes.

Stand with me and the over 2,500 construction workers we want to put to work building world class schools for our world class workforce. And while we are at it, let's make sure that those 2,500-plus construction workers newly employed by the J.O.B.S. Bill are our friends and neighbors.

Right now, we have a law on the books that is supposed to require that at least half of the workers on any construction project funded by state or local tax dollars be Montana residents, but it's riddled with loopholes and not enforceable. When taxpayer money is funding a project, let's put Montana companies and Montana workers first.

Let's work together to close these loopholes and expand this requirement to all projects – not just construction. And let's also significantly increase the proportion of Montana workers required on any state or locally funded project. I hope you will join Rep. Amanda Curtis and me to pass this measure so we can put more money into the hands of Montana businesses and create more jobs for Montana workers.

And as we put Montana companies and workers first, we must not forget the First Montanans. In my budget I proposed full funding for Indian Country Economic Development. I also insisted that the funding become permanent, so year-after-year American Indians don't have to come, hat-in-hand, asking for these job-creating funds. Unfortunately, in the first few weeks of this legislature, that funding has already been cut in half. I ask that this body – if you're serious about job creation for all Montanans – restore full funding for Indian Country Economic Development and make that funding permanent.

Investing in our students and educational institutions requires more than bricks and mortar that are in our J.O.B.S. Bill. For generations, the quality of our education system has been recognized as the key to economic growth and job creation. But our public schools are even

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more than that – they are, truly, the great equalizer. Regardless of where we are born or how wealthy our parents are, our public schools open the doors of opportunity to all Montanans. They even helped a kid who couldn't – and still can't – sit still become the Governor of the greatest state in the country!

As the father of a fifth and second grader, and a kindergartner, no issue is more important to me than extending the opportunities afforded by a good education to Montana's next generation. Our schools and the incredible teachers who educate our kids, give us much to celebrate. Montana 8th graders outperform every other state in the nation in reading and math, and are second in science. Our High School graduation rates are up and our dropout rates are down. And we are increasing the rate at which Montana residents are getting college degrees faster than any other state in the nation.

But we're not done. It's not where we start, but where we finish. We know an educated workforce is the foundation for a prosperous economy. So let's commit to increasing the number of Montana adults with a post-secondary degree or professional certificate to at least 60 percent over the next decade. Given that we are now at about 40%, this is an ambitious goal. The future of this state will be shaped by whether we rise to meet it, and I have asked the Commissioner of Higher Education to join me in committing to this goal. And I ask the same of you, because we can't do this without you.

I have included proposals in this budget that move us in this direction:

- Offering college classes to more high school students will help them recognize that higher education is within their reach and will give them a jump start on earning college credits. That's why I am asking that you help our two-year colleges expand and enhance dual credit programs.

- If a student starts at Dillon they shouldn't have to reapply and get different financial aid packages if they choose to take classes at or transfer to Butte. We can make it easier for students by creating a universal enrollment system, so students at Miles Community College have access to courses at Montana State University, and so we can also bridge the hundreds of miles between rural Montana and our universities.

- We aren't going to produce more college graduates if the cost of college is beyond the reach of Montana families. Let's not kid ourselves – as cautious as this body is about raising taxes, when tuition increases because higher education isn't adequately funded, that's a tax on tens of thousands of working families across our state. My budget includes an agreement to freeze tuition across the university system. I urge you to honor it.

- Many college students today have recently returned home from serving our country in the armed forces. These soldiers, sailors, Marines, airmen and women must know that our state will do everything we can to help them succeed. This morning, I went to the airport and welcomed home 45 soldiers from the Montana National Guard who had just spent a year in Afghanistan. I told them our commitment was strong and Lt. Gov. Walsh and I would ensure that we live up to the promise all of us made the day they signed up.

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That's why I asked this legislature to invest in our university system and make certain that we are providing the services and the space to meet veterans' needs – the wrap-around services that will reintegrate these heroes back into civilian life and on our college campuses. When I got back from the airport, I found out that, while I was gone, a legislative committee cut the funding for these critical services for returning vets. I urge you to restore these funds, live up to the promises we've made and welcome these warriors home with more than just words.

If we are serious about training tomorrow's workers, our commitment must begin not when our kids first enter college or the workforce, but rather when they first enter the world. We can't wait until kindergarten before we take an interest. The evidence is compelling: every dollar we invest in early childhood education returns up to \$9 to our communities. Early learning programs work. Children involved in early education do better in math and English, are much more likely to graduate from high school, and are a third less likely to be arrested as a juvenile.

Unfortunately, Montana is dead last in the nation – 50th out of 50 – in state investment in early childhood education. That's unacceptable. We can't expect the federally funded Head Start program to carry the entire burden. Some local communities have stepped in to make sure these youngsters are given a better chance. Great Falls saw that a modest investment in pre-K programs led to a dramatic shift in kindergarten readiness, setting these students – and our state – on a much better path for the future. Other communities have seen the same.

As a first step, I urge this body to expand the proven "Stars to Quality Program" and make the long overdue investment in school readiness. I've laid out a plan that will create 100 more high-quality early childhood programs, getting 600 more families and 1,000 more children ready for school, annually. It's a proven high-return investment that will produce long-lived benefits for the students and our economy.

And our commitment and investment must continue throughout their schooling. In the 1980s, voters created the Montana Lottery specifically to help fund Montana schools. But, by the 1990s, the legislature began raiding that fund for non-education projects. It's time we did right by our bosses and their kids. I ask for your support of my proposal to return the profits from the Lottery to the public schools they were intended to support.

My budget also includes additional funding for the highly successful Jobs for Montana's Graduates program. I first learned about this program from former Governor Marc Racicot, who brought the program to Montana. The graduation rate for at-risk teens involved in this program is an amazing 98%. The vast majority of these graduates then go on to jobs, military service, or higher education. After just 14 months on the job, the taxes these kids pay have already repaid the cost of their participation in the program.

Technology has pushed Montana into a global marketplace, but far too many of our schools are lagging behind. The phones in our pockets have better Internet access than many of the classrooms in our state. That's why I also support further investing in our schools, and using state resources to help school districts modernize and acquire today's technology.

We can and we will work together to invest in and improve our public schools. In making even

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modest investments in early childhood education and technology improvements for our schools, I am asking that you look beyond the immediate, beyond this session or even the length of time you and I will be entrusted with serving the public. It isn't always easy investing now for later returns, but that's what leaders do. I'm asking you to look beyond the immediate in other areas, too, including transforming the way we deliver healthcare, so we can create jobs and take care of those who need our help the most.

To have a healthy economy, we need healthy citizens. For those of us with health insurance, we're paying too much and getting too little. And for the tens of thousands of Montanans who don't have insurance, the Emergency Room has become a primary care facility, pushing costs for all of us even higher. The fact is, subsidizing expensive ER care for the uninsured costs Montanans \$300 million a year. That makes no sense when there is a smarter, cheaper way to provide better care.

Through Access Health Montana, we are proposing a made-in-Montana solution designed to increase coverage and access to health care for more Montana families. It will also create a patient-centered delivery system that focuses on coordinating care and improving health, rather than simply treating illness. Implementing these measures will allow us to better control and ultimately lower the costs of health care – slowing the annual rate hikes that hit all of our wallets.

This is an opportunity to reduce costs and expand access to quality care for nearly 70,000 more Montanans. And it's more than that. Access Health Montana will create more than 5,000 new jobs next year alone, by bringing millions of dollars of new economic activity to Montana. It will cut costs by improving preventative care and because those with insurance are more likely to visit a doctor instead of a high-cost hospital emergency room.

Medicaid expansion is federally funded, so if Montana doesn't expand its Medicaid program, then our tax dollars will be used to help patients in states like Arizona, Nevada and North Dakota – states where Republican Governors are leading the effort to expand Medicaid. Let me make this point abundantly clear: if we fail to act, Montana taxpayer dollars will be used to provide health care to the citizens of states thousands of miles away, while our rates will continue to go up year after year.

It's time we set the politics aside on this issue. Politics won't treat diabetes. Extremism won't create jobs. And intransigence won't provide health care for those who can't afford it. Under Access Health Montana, I also propose increasing by 25 percent the number of seats in the WWAMI program, which allows Montana medical students to attend medical school with other students from the Northwest. This program has been extremely successful in encouraging doctors to come back to our cities, towns and rural areas to practice. But there hasn't been an increase in the number of positions open to our students through WWAMI in over two decades.

Tonight, I ask each and every member of this legislature to take the longer view, and lead the way by focusing on the health and welfare of our neighbors. Let's work together to put Montanans first and use their hard-earned tax dollars wisely.

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It's that same longer view that will allow Montana to help lead America to energy independence. With the responsible development of our coal, wind, oil and gas, hydropower, biofuels and geothermal capacity, we are creating jobs and strengthening our rural economies.

But for some communities in Eastern Montana, the rapid growth associated with the energy boom is creating immediate infrastructure problems. That's why I've proposed creating a grant program for communities affected by oil and gas development. I ask that we invest \$15 million dollars in providing matching funds to affected cities and towns that do not get a share of the increased revenues that county governments and school districts receive from oil and gas development.

We must also meet our responsibility to fix a long-term problem created by our predecessors. I have outlined a detailed plan that will shore up our retirement systems and do so without raising taxes.

I look forward to working with this body to ensure we craft a plan that honors our commitment to Montana's public servants – a plan that doesn't go back on the promises we made to the snowplow drivers, prison guards, teachers and other middle-class workers who are our friends and neighbors.

As I've already described to you, saving some for a rainy day is simple. I also believe that we can wisely invest our resources to create jobs and improve education.

Giving some back ought to be equally simple. I believe we're more likely to create jobs if we invest in working families, small businesses, farmers and ranchers, and students. In my book, an investment on Main Street is an investment that will pay off, right here in Montana.

Some disagree with me. They believe we'd be better off if we focused on helping multi-national corporations that have their headquarters in Pennsylvania, a PO Box in Delaware, bankers on Wall Street, and lobbyists in Helena and Washington.

Don't get me wrong; other than when they're spending their shareholders' money in our elections, I like the out-of-state corporations that are investing in, and employing, Montanans. I welcome them and want to work with them to create jobs and invest in our state.

But when Montana is already ranked as having one of the country's best tax climates for business, let's never allow misinformation to be the motivation for missteps -- let's evaluate tax rebates and cuts with our eyes wide open.

I propose returning \$100 million back to the pockets of Montana homeowners. I recognize that others have suggested we should use that \$100 million and provide property tax cuts, instead. The difference between the tax rebate and tax cut is simple: who stands to benefit?

Giving \$100 million back in the form of a tax rebate will return \$400 to everyone with their primary residence in the state. When you put a check in the hands of Montana taxpayers, they're going to take that money downtown and spend it at the small businesses along our Main

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Streets.

If you take the \$100 million and use it to cut property taxes, instead, the average Montana homeowner would receive just \$44 this year, not \$400. Think about that – it will take 10 years for the taxpayer to get as much money back as they'll get this year with the rebate. Yet, if you are a company like PP&L, the proposed tax cut would reward you with over \$1 million this year alone – 23-thousand times more than what the average homeowner would receive.

If we consider who stands to benefit from our actions, the path we should take becomes clear. We have the opportunity to return money to hardworking Montanans and create \$100 million dollars of economic activity – in Montana. This rebate won't blow long-term holes in our budget and it won't saddle future legislatures – or future generations – with the Washington, D.C.-style deficits that Montana has avoided during this recession. Let's not miss this chance.

The same goes for cuts to the Business Equipment tax, which is a tax on the market value of equipment a business owns. The last legislature reduced this tax rate, across the board, for every company in the state. Let's take the next step and eliminate that tax for 11,000 Montana businesses – two-thirds of the companies that pay it.

Doing so will directly benefit the Main Street businesses in your communities. The Parrot Confectionary has been making and selling candy on Last Chance Gulch in Helena since 1922. Under my proposal, the Parrot would no longer pay this tax. Chinook Windows in Great Falls manufactures and distributes windows made for the harsh Montana climate. They can use the business equipment tax dollars they've been paying to further invest in their business. Under my proposal, the Iron Horse in Missoula would also have a little more breathing room in their bottom line.

From manufacturers to restaurants and taverns to service providers, 11,000 Montana businesses will no longer pay this tax, freeing up thousands of dollars they can invest in their businesses or employees. We have the opportunity to stand with the vast majority of small and medium sized businesses in this state – let's not miss that chance.

As we focus on creating jobs, investing in education and making government more effective, let's behave in a manner that will make our children proud. I have already been trying to change the tone in the halls of this building. I hope you'll join me in doing so.

I hope you will also help me preserve the integrity of our elections.

One-hundred years ago, our ancestors came together – not as Democrats or Republicans, but as Montanans – to take control of their destiny. Those forward-thinking Montanans knew that our elections – the cornerstone of our democracy – should be about our principles, our ideas, our beliefs and our plans for the future. Our campaigns should be vigorous debates about the problems we face and the opportunities that lie ahead.

And they knew that our government should be about the people – lending a hand to those who need it, bettering this place we love, ensuring that the next generation has opportunities even greater than we enjoy. Since then, our leaders have always been our friends and neighbors,

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and they have looked out for our interests. In the century following the passage of the Corrupt Practices Act, Montana has benefitted from a strong citizen democracy.

In the past several years, however, more money than ever before has been spent on political campaigns – both at the national level and in Montana. As Attorney General, I fought to preserve our citizen democracy and stem the tide of this corporate money in our elections.

We have seen the rise of so-called "dark money" groups that target candidates, yet refuse to tell the voting public who they really are and what they really represent. They hide behind made-up names and made-up newspapers. They operate out of PO Boxes or Washington, D.C. office buildings. They falsely proclaim themselves the guardians of Montana's traditions.

These groups believe they can violate our laws and corrupt our government in order to create a system that benefits their special interests. Montanans deserve better. The entire nation is looking to us to continue our fight to preserve our citizen democracy. We can show those who believe elections can be bought and sold what democracy really means – government of the people, by the people and for the people.

Help me reform our laws, so that any organization spending money during the course of an election reveals the amount it spends and the source of its money. Help me make sure that, as voters and as investors, we know who is spending and how much. Together, let's guarantee that our elections will never be auctions, controlled by anonymous bidders. We owe nothing less to our ancestors who reformed our government a century ago and we owe nothing less to our kids who will inherit the government we run today.

There's an old saying – if you don't know where you're going, any road will get you there. But we know where Montana must go: better jobs, better schools, a more effective government.

We have a lot of work to do, but tremendous opportunities lie ahead. Let's use our time in office wisely. Let's build on – but not be constrained by – the progress of the past. Let's be resolute in keeping our focus forward and to the future. At the end of any one of our terms. . . yours or mine. . . we will be measured by the progress we have made. And the true measure will be taken not by the politicians or pundits, but by our children. Let us not forget that it is to them we are most accountable.

God Bless Montana's children and families, God Bless Montana, and God Bless America.
Thank you.

President Essmann thanked Governor Bullock for his State of the State Address and asked Father Lowney to give the benediction.

President Essmann directed the committee of four to escort Governor Bullock from the Joint Session and requested the members remain standing as the Sergeants-at-Arms escorted the official party and guests from the Chamber.

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Senate Majority Leader Wittich moved that the joint session be adjourned. Motion carried.

House adjourned at 7:50 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
TWENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
January 31, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Lang. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Mehlhoff and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

1/31/2013

Correctly printed: **HB 30, HB 68, HB 154, HB 157, HB 194, HB 226, HB 250, HB 252, HB 270, HB 336, HB 346, HB 347, HB 348, HB 349, HB 350, HB 351, HB 352, SB 64.**

Correctly engrossed: **HB 257, HB 274, HB 308.**

Correctly enrolled: **HB 20, HB 25, HB 42.**

Transmitted to the Senate: **HB 18, HB 28, HB 38, HB 81, HB 140, HB 182, HB 188.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixth, seventh, eighth, ninth, and tenth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

TRANSPORTATION (Lavin, Chair):

1/30/2013

HB 157, do pass. Report adopted.

HB 257, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "61-8-605,"

2. Page 1, line 17.

Following: "÷"

Insert: "÷"

3. Page 1, line 27.

Following: "engaged"

Insert: "(i)"

4. Page 1, line 29.

Following: "younger"

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Insert: "; or

(ii) a vehicle equipped with two or three wheels, foot pedals to permit muscular propulsion, and an independent power source providing a maximum of 2 brake horsepower. If a combustion engine is used, the maximum piston or rotor displacement may not exceed 3.05 cubic inches, 50 cubic centimeters, regardless of the number of chambers in the power source. The power source may not be capable of propelling the device, unassisted, at a speed exceeding 30 miles an hour, 48.28 kilometers an hour, on a level surface. The device must be equipped with a power drive system that functions directly or automatically only and does not require clutching or shifting by the operator after the drive system is engaged"

5. Page 4, line 17 through page 5, line 10.

Strike: section 4 in its entirety

Renumber: subsequent sections

6. Page 6, line 3.

Following: "feet"

Insert: "from a speed of 10 miles an hour"

And, as amended, do pass. Report adopted.

HB 270, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

1/31/2013

SB 64, be concurred in. Report adopted.

HB 274, introduced bill, be amended as follows:

1. Page 3, line 21.

Strike: ".¹"

Insert: ". The reports must be filed annually and report client names, outfitters and guides providing client services and the license numbers of those outfitters and guides, dates of client services, and any other information required by the board by rule."

2. Page 4, line 2.

Following: "~~submit~~"

Insert: "and submit"

And, as amended, do pass. Report adopted.

HB 308, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "~~or~~"

Insert: "licensed or"

Strike: "2"

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Insert: "3"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):
HB 252, do pass. Report adopted.

1/31/2013

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/30/2013

SB 2, introduced by Facey
SB 12, introduced by Lewis
SB 21, introduced by Arthun
SB 45, introduced by Keane
SB 63, introduced by Blewett
SB 117, introduced by Sonju
SB 134, introduced by Brenden

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 336, introduced by Gibson, G. Bennett, Brodehl, Dudik, Fitzpatrick, Hollenbaugh, Jent, Lynch, Miller, Noonan, Olson, Ripley, Sesso, referred to Appropriations.
HB 346, introduced by Salomon, Debby Barrett, Clark, Doane, Glimm, D. Moore, F. Moore, Randall, Redfield, Ripley, C. Smith, referred to Agriculture.
HB 347, introduced by Fitzpatrick, Blasdel, Buttrey, Caferro, Lavin, Noonan, Reichner, C. Smith, Sonju, Welborn, referred to Business and Labor.
HB 348, introduced by Lang, Ankney, Cook, Hollandsworth, Lenz, McChesney, C. Smith, Warburton, referred to Appropriations.
HB 349, introduced by Hollenbaugh, referred to Local Government.
HB 350, introduced by Zolnikov, White, referred to Fish, Wildlife and Parks.
HB 351, introduced by Edmunds, Arthun, Clark, Coffin, Curtis, Dudik, Eck, Ehli, Glimm, Gursky, Hagan, Harris, Hertz, Hollenbaugh, D. Jones, Kerns, Knudsen, Larsen, McCarthy, Mehlhoff, Randall, Sales, Salomon, Williams, Zolnikov, referred to State Administration.
HB 352, introduced by Fitzpatrick, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wagoner in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Majority Leader Vance moved **SB 8** be passed for the day. Motion carried.

HB 30 - Representative Washburn moved **HB 30** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Warburton, Aye; Mehlhoff, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 68 - Representative MacDonald moved **HB 68** do pass. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Halvorson, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Laszloffy, McNiven, Miller, Osmundson, Randall, Redfield, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

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Total 42

Voted Absentee: Mehlhoff, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 154 - Representative D. Moore moved **HB 154** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Mehlhoff, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 194 - Representative Ingraham moved **HB 194** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn,

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Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Bangerter, J. Bennett, Clark, Doane, Fitzpatrick, Flynn, Gibson, Hertz, Kerns, Miller, Schwaderer, Williams.

Total 12

Voted Absentee: Mehlhoff, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 226 - Representative D. Jones moved **HB 226** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye; Mehlhoff, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 250 - Representative Bangerter moved **HB 250** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: O'Neil.
Total 1

Voted Absentee: Mehlhoff, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: B. Bennett, McCarthy, McChesney, Pease-Lopez, Squires, Swanson.
Total 6

Voted Absentee: None.

Excused: Mehlhoff, Warburton.
Total 2

Absent or not voting: None.
Total 0

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 120 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 70

Nays: Ballance, J. Bennett, Berry, Blyton, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Zolnikov, Mr. Speaker.

Total 28

Voted Absentee: None.

Excused: Mehlhoff, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 126 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 63

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Flynn, Galt, Glimm, Halvorson, Harris, Hertz, Hoven, Jones, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Zolnikov, Mr. Speaker.

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Total 35

Voted Absentee: None.

Excused: Mehlhoff, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 152 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Mehlhoff, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 192 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Mehlhoff, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 259 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Mehlhoff, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 261 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom,

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Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Glimm, Kerns.

Total 2

Voted Absentee: None.

Excused: Mehlhoff, Warburton.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 73** be moved from the State Administration committee to the Judiciary committee.

Majority Leader Vance moved **HB 286** be moved from the State Administration committee to the Education committee.

Majority Leader Vance moved **HB 321** be moved from the State Administration committee to the Business and Labor committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, February 1, 2013. Motion carried.

House adjourned at 2:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 1, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Laszloffy. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Pease-Lopez and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/1/2013

Correctly printed: **HB 16, HB 24, HB 79, HB 95, HB 106, HB 184, HB 258, HB 273, HB 296, HJR 3, HJR 5, SB 8, SB 15, SB 16, SB 50, SJR 2, HB 353, HB 354, HB 355, HB 356, HB 357, HB 358, HB 359, HB 360, HB 361, HB 362, HB 363, HB 364.**

Correctly enrolled: **HB 21, HB 132, HB 139.**

Correctly engrossed: **HB 27, HB 37, HB 49, HB 78, HB 89, HB 133, HB 187, HB 195, HB 200, HB 210, HB 214, HB 215, HB 217, HB 251, HR 2.**

Transmitted to the Senate: **HB 120, HB 126, HB 152, HB 192, HB 259, HB 261.**

Signed by the Speaker at 12:55 p.m., February 1, 2013: **HB 20, HB 25, HB 42.**

Signed by the Chief Clerk of the House at 1:30 p.m., February 1, 2013: **HB 20, HB 25, HB 42.**

Signed by the President at 1:40 p.m., February 1, 2013: **HB 20, HB 25, HB 42.**

Delivered to the Governor for approval at 2:01 p.m., February 1, 2013: **HB 20, HB 25, HB 42.**

Examined by the sponsor and found to be correct: **HB 20, HB 25, HB 42.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

1/31/2013

HB 16, do pass. Report adopted.

HB 210, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "ACADEMY;"

Strike: "REQUIRING" on line 7 through "APPROPRIATIONS;" on line 10

Insert: "PROVIDING FOR A REVERSION OF FUNDS;"

2. Page 1, line 14 through line 15.

Strike: "the commissioner of higher education"

Insert: "public instruction"

3. Page 1, line 15.

Following: "2013,"

Insert: "solely"

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TWENTY-SECOND LEGISLATIVE DAY - FEBRUARY 1, 2013

4. Page 1, line 16.

Following: "academy."

Insert: "Any remaining funds that are unencumbered as of June 30, 2013, must revert to the general fund."

5. Page 1, line 18 through line 21.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

1/31/2013

HB 27, introduced bill, be amended as follows:

1. Page 1, line 17.

Strike: "mountain lions or"

Following: "wolves"

Insert: "after the general deer and elk season"

And, as amended, do pass. Report adopted.

HB 273, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

1/31/2013

HB 258, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

1/31/2013

HB 78, introduced bill, be amended as follows:

1. Page 3, line 14.

Strike: "180"

Insert: "150"

2. Page 3, line 20.

Strike: "30"

Insert: "45"

And, as amended, do pass. Report adopted.

HB 214, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "REQUIRING"

Insert: "RECOMMENDING THAT"

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2. Title, page 1, line 8.

Following: "ACTION"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

3. Page 1, line 12.

Strike: "must"

Insert: "may"

4. Page 1, line 18.

Strike: "must"

Insert: "may"

5. Page 1, line 23.

Strike: "The"

Insert: "If the"

Following: the first "flag"

Insert: "is displayed, it"

6. Page 2.

Following: line 9

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective May 27, 2013."

And, as amended, do pass. Report adopted.

HB 215, introduced bill, be amended as follows:

1. Page 1, line 10 through line 12.

Strike: "; and" on line 10 through "West"" on line 12

And, as amended, do pass. Report adopted.

HB 251, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "SECTIONS 13-2-304 AND"

Insert: "SECTION"

2. Page 1, line 10 through line 27.

Strike: section 1 in its entirety

Renumber: subsequent sections

3. Page 2, line 2.

Strike: "20"

Insert: "25"

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4. Page 2, line 5.

Strike: "20"

Insert: "25"

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/1/2013

HB 133, introduced bill, be amended as follows:

1. Title, line 7.

Following: "COUNSELORS"

Insert: "TO"

2. Title, line 10 through line 12.

Strike: "REVISING" on line 10 through "PHARMACY";" on line 12

3. Title, line 24.

Following: "SECTIONS"

Strike: "2-15-1740,"

4. Title, line 25.

Strike: "37-3-306,"

Following: "37-3-323,"

Strike: "37-7-101, 37-7-702,"

Following: "37-16-402,"

Insert: "37-17-104,"

5. Title, line 26.

Strike: "37-22-301,"

6. Page 2, line 6 through line 22.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 5, line 19 through page 6, line 18.

Strike: section 9 in its entirety

Renumber: subsequent sections

8. Page 8, line 1 through page 13, line 13.

Strike: sections 13 through 15 in their entirety

Renumber: subsequent sections

9. Page 15, line 10.

Strike: "21"

Insert: "16"

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10. Page 15, line 11.

Strike: "19"

Insert: "14"

11. Page 15, line 22.

Strike: "19 through 24"

Insert: "14 through 19"

12. Page 16, line 9.

Strike: "21"

Insert: "16"

13. Page 16, line 29.

Strike: "21"

Insert: "16"

14. Page 17, line 7.

Strike: "21"

Insert: "16"

15. Page 17, line 21.

Strike: "21"

Insert: "16"

16. Page 18, line 3.

Strike: "21"

Insert: "16"

17. Page 18, line 5.

Strike: "19 through 24"

Insert: "14 through 19"

18. Page 18, line 6.

Strike: "19 through 24"

Insert: "14 through 19"

19. Page 18, following line 8.

Insert: "Section 20. Section 37-17-104, MCA, is amended to read:

"37-17-104. Exemptions. (1) Except as provided in subsection (2), this chapter does not prevent:

(a) qualified members of other professions, such as physicians, social workers, lawyers, pastoral counselors, professional counselors licensed under Title 37, chapter 23, or educators, from doing work of a psychological nature consistent with their training if they do not hold themselves out to the public by a title or description incorporating the words "psychology", "psychologist", "psychological", or "psychologic";

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(b) the activities, services, and use of an official title clearly delineating the nature and level of training on the part of a person in the employ of a federal, state, county, or municipal agency or of other political subdivisions or an educational institution, business corporation, or research laboratory insofar as these activities and services are a part of the duties of the office or position within the confines of the agency or institution;

(c) the activities and services of a student, intern, or resident in psychology pursuing a course of study at an accredited university or college or working in a generally recognized training center if these activities and services constitute a part of the supervised course of study of the student, intern, or resident in psychology;

(d) the activities and services of a person who is not a resident of this state in rendering consulting psychological services in this state when these services are rendered for a period which does not exceed, in the aggregate, 60 days during a calendar year if the person is authorized under the laws of the state or country of that person's residence to perform these activities and services. However, these persons shall report to the department the nature and extent of the services in this state prior to providing those services if the services are to exceed 10 days in a calendar year.

(e) a person authorized by the laws of the state or country of the person's former residence to perform activities and services, who has recently become a resident of this state and who has submitted a completed application for a license in this state, from performing the activities and services pending disposition of the person's application; and

(f) the offering of lecture services.

(2) Those qualified members of other professions described in subsection (1)(a) may indicate and hold themselves out as performing psychological testing, evaluation, and assessment, as described in 37-17-102(4)(b), provided that they are qualified to administer the test and make the evaluation or assessment.

(3) The board of social work examiners, and professional counselors, and marriage and family therapists shall adopt rules that qualify a licensee under Title 37, chapter 22 or 23, to perform psychological testing, evaluation, and assessment. The rules for licensed clinical social workers and professional counselors must be consistent with the guidelines of their respective national associations. Final rules must be adopted by October 1, 2010. A qualified licensee providing services under this exemption shall comply with the rules no later than 1 year from the date of adoption of the rules.""

Renumber: subsequent sections

20. Page 18, line 20.

Strike: "28"

Insert: "23"

21. Page 19, line 6 through line 29.

Strike: section 26 in its entirety

Renumber: subsequent sections

22. Page 22, line 16.

Strike: "31"

Insert: "26"

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23. Page 26, line 11.

Strike: "35"

Insert: "30"

24. Page 56, line 3 through line 4.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

25. Page 56, line 5.

Strike: "19 through 24"

Insert: "14 through 19"

26. Page 56, line 6.

Strike: "19 through 24"

Insert: "14 through 19"

27. Page 56, line 7.

Strike: "28"

Insert: "23"

28. Page 56, line 8.

Strike: "28"

Insert: "23"

29. Page 56, line 9.

Strike: "31"

Insert: "26"

30. Page 56, line 10.

Strike: "31"

Insert: "26"

31. Page 56, line 11.

Strike: "35"

Insert: "30"

32. Page 56, line 12.

Strike: "35"

Insert: "30"

33. Page 56, line 14.

Strike: "59 and 60"

Insert: "54 and 55"

And, as amended, do pass. Report adopted.

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HB 187, introduced bill, be amended as follows:

1. Page 1, line 15.

Following: line 14

Insert: "(4) An outfitter who employs an outfitter's assistant is responsible for ensuring that the outfitter's assistant is competent to perform the tasks of a guide."

Renumber: subsequent subsections

2. Page 1, line 15.

Following: "days"

Insert: "in a calendar year"

3. Page 1, line 16.

Following: "part"

Insert: "and the board determines that the license application is routine"

4. Page 1, line 17.

Following: line 16

Insert: "(6) An outfitter may use more than one outfitter's assistant in a calendar year.

(7) An outfitter's assistant may be employed by an outfitter on more than one occasion in a calendar year if:

(a) the outfitter's assistant is not employed for more than 15 days as an outfitter's assistant in that calendar year; or

(b) the outfitter's assistant is actively obtaining a guide's license and the board determines that the license application is routine."

5. Page 2, line 21.

Following: "licensed guide"

Strike: "or"

Insert: ", "

Following: "professional guide"

Insert: ", or outfitter's assistant"

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/1/2013

HJR 3, do pass. Report adopted.

HJR 5, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/1/2013

HB 79, do pass. Report adopted.

HB 200, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 8.

Strike: "PROHIBITING" on line 4 through "BALLOTS;" on line 8

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2. Title, page 1, line 8.

Strike: "ITEMS"

Insert: "PERSONS"

3. Title, page 1, line 8 through line 9.

Strike: "BEING" on line 8 through "DISTRIBUTED" on line 9

Insert: "DISTRIBUTING CERTAIN ITEMS"

4. Title, page 1, line 9 through line 10.

Strike: "SECTIONS" on line 9 through "AND" on line 10

Insert: "SECTION"

5. Page 1, line 14 through page 4, line 17.

Strike: section 1 through section 5 in their entirety

Renumber: subsequent sections

6. Page 4, line 24.

Strike: "person"

Insert: "candidate, a family member of a candidate, or a worker or volunteer for the candidate's campaign"

7. Page 5, line 4 through line 5.

Strike: section 7 in its entirety

And, as amended, do pass. Report adopted.

HB 217, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "CHURCHES"

Insert: "RELIGIOUS ORGANIZATIONS"

2. Title, page 1, line 9 through line 10.

Strike: "PROHIBITING RULES" on line 9 through "ISSUE CAMPAIGNS;" on line 10

3. Title, page 1, line 10.

Strike: "SECTIONS"

Insert: "SECTION"

4. Title, page 1, line 11.

Strike: "AND 13-37-226"

5. Page 3, line 17 through line 18.

Strike: subsection (iii) in its entirety

Insert: "(iii) the cost of any communication by a religious organization that qualifies under 26

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U.S.C. 501(c)(3) when requiring the organization to comply with Title 13 would burden the organization's religious beliefs and practices;"

6. Page 4, line 6 through line 7.

Strike: subsection (iv) in its entirety

Insert: "(iv) the cost of any communication by a religious organization that qualifies under 26 U.S.C. 501(c)(3) when requiring the organization to comply with Title 13 would burden the organization's religious beliefs and practices;"

7. Page 6, line 19 through page 8, line 18.

Strike: section 2 in its entirety

Renumber: subsequent sections

8. Page 8, line 24.

Strike: "3"

Insert: "2"

9. Page 8, line 25.

Strike: "3"

Insert: "2"

And, as amended, do pass. Report adopted.

HB 296, do pass. Report adopted.

TAXATION (Miller, Chair):

2/1/2013

HB 49, introduced bill, be amended as follows:

1. Page 2, line 21.

Strike: "uniformed services"

Insert: "armed forces"

2. Page 2, line 22.

Strike: "uniformed service"

Insert: "the armed forces"

3. Page 2, line 25.

Strike: "uniformed service"

Insert: "the armed forces"

And, as amended, do pass. Report adopted.

HB 89, introduced bill, be amended as follows:

1. Page 1, line 24.

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Strike: "\$2,000"

Insert: "\$5,000"

And, as amended, do pass. Report adopted.

HB 195, introduced bill, be amended as follows:

1. Page 1, line 12 through line 20.

Strike: "the" on line 12 through "land" on line 20

Insert: ", in a prior year, the parcels totaled 15 acres or more and qualified as forest land but the number of acres was reduced to less than 15 acres for a public use described in 70-30-102 by the federal government, the state, a county, or a municipality, and since that reduction in acres, the parcels have not been further divided"

And, as amended, do pass. Report adopted.

SB 15, be concurred in. Report adopted.

SB 16, be concurred in. Report adopted.

SJR 2, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

SELECT COMMITTEE ON REDISTRICTING (Randall, Chair):

1/31/2013

HR 2, introduced resolution, be amended as follows:

1. Page 1, line 20.

Strike: "24 and 25"

Insert: "23 and 24"

2. Page 1, following line 22.

Insert: "WHEREAS, the House of Representatives contends that the proposed plan does not adequately consider the functional compactness of districts as required in the Commission's criteria; in particular, House District 13 includes a portion of Flathead County containing Kila and Marion that is not accessible by vehicle from the main western Sanders County portion of the district without having to leave the district and its residents share little in common with Sanders County residents; and

WHEREAS, the House of Representatives contends that the proposed plan fractures communities of interest in House Districts 21, 23, 77, 78, 82, and 84; and"

3. Page 1, line 26 through line 29.

Strike: "Senators Kaufmann" on line 26 through "Senate Districts" on line 29

Insert: "Senator Webb is assigned to a Senate District predominantly composed of citizens who have never had the opportunity to vote for him, when it is possible to assign him to a district that includes significant populations from his original Senate District"

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4. Page 2, line 8.

Strike: "24 and 25"

Insert: "21 and 23"

5. Page 2, line 9.

Strike: "District 81"

Insert: "Districts 82 and 84"

6. Page 2, following line 11.

Insert: "(2) redraw House District 13 and any surrounding districts as necessary to create districts in the area that are functionally compact;"

Renumber: subsequent subsections

7. Page 2, following line 15.

Insert: "(4) redraw House Districts 77 and 78 to keep the town of Anaconda whole; and"

Renumber: subsequent subsections

8. Page 2, line 16 through line 19.

Strike: "the following" on line 16 through "(b)" on line 19

And, as amended, do pass. Report adopted.

JOINT SELECT COMMITTEE ON PENSIONS (Lewis, Chair):

1/31/2013

HB 95, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

1/31/2013

SB 40, introduced by Buttrey

SB 48, introduced by Jergeson

SB 77, introduced by Brenden

SB 94, introduced by D. Brown

SB 101, introduced by Facey

SB 104, introduced by Webb

SB 132, introduced by Jergeson

SB 133, introduced by Rosendale

SB 158, introduced by Thomas

House bills concurred in and returned to the House:

1/31/2013

HB 20, introduced by Cook

HB 25, introduced by Gibson

HB 42, introduced by Regier

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 353, introduced by McClafferty, B. Bennett, Boland, Brockie, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Hill, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, referred to Education.

HB 354, introduced by Connell, referred to Appropriations.

HB 355, introduced by Clark, referred to Transportation.

HB 356, introduced by Clark, referred to Agriculture.

HB 357, introduced by Hansen, Ballance, G. Bennett, Boulanger, Brodehl, Doane, Fiscus, Flynn, Glimm, Greef, Halvorson, Harris, Ingraham, D. Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lewis, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Rosendale, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, referred to Education.

HB 358, introduced by Kerns, Edmunds, referred to Judiciary.

HB 359, introduced by Fitzpatrick, Thomas, referred to Judiciary.

HB 360, introduced by White, Edmunds, Galt, Glimm, Hagan, Jacobson, D. Jones, Regier, Shaw, Welborn, referred to Fish, Wildlife and Parks.

HB 361, introduced by Hunter, referred to Taxation.

HB 362, introduced by Berry, referred to Business and Labor.

HB 363, introduced by Berry, referred to Business and Labor.

HB 364, introduced by Schreiner, referred to Transportation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Jacobson in the chair.

SB 206 - Representative Flynn moved consideration of **SB 206** be placed at the bottom of the second reading board. Motion carried.

HB 24 - Representative Ankney moved **HB 24** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

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White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns, McNiven.

Total 2

Voted Absentee: Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 37 - Representative McChesney moved **HB 37**, second reading copy, be amended as follows:

1. Page 2, line 13.

Strike: "10"

Insert: "5"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 37 - Representative McChesney moved **HB 37**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 88

Nays: Court, Eck, Fiscus, Hill, MacDonald, Miller, Neill, Pease-Lopez, Pierson, Pomnichowski, Schwaderer, Squires.
Total 12

Voted Absentee: Warburton, Aye; Pease-Lopez, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 106 - Representative Connell moved **HB 106** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Harris, Kerns, Schwaderer, Vance.
Total 4

Voted Absentee: Pease-Lopez, Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 - Representative Fiscus moved **HB 184** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Warburton, Aye; Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: Howard, Washburn.

Total 2

HB 248 - Representative B. Bennett moved **HB 248**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "SEASON;"

Insert: "ALLOWING LOCAL GOVERNING BODIES TO EXTEND THE PROHIBITION;"

2. Title, line 6.

Strike: "SECTIONS 7-33-4206 AND"

Insert: "SECTION"

3. Page 1.

Following: line 13

Insert: "(2) A city or town council or board of county commissioners may extend the prohibition

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provided in this section beyond the wildfire season or an extension of the wildfire season."

Renumber: subsequent subsection

4. Page 1, line 18 through line 22.

Strike: section 2 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Bangerter, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Wagoner, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

Nays: Ankney, Ballance, Berry, Blyton, Brodehl, Clark, Cuffe, Edmunds, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Kary, Kerns, Knudsen, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 41

Voted Absentee: Pease-Lopez Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 248 - Representative B. Bennett moved **HB 248**, as amended, do pass. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson,

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Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Voted Absentee: Pease-Lopez Aye, Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 8 - Representative Wagoner moved **SB 8** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 50 - Representative O'Neil moved **SB 50** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Pease-Lopez, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.
Total 2

Absent or not voting: None.
Total 0

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SB 206 - Representative Vance moved consideration of **SB 206** be passed for the day. Motion Carried.

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted unanimously.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 68 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 61

Nays: J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hansen, Harris, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, C. Smith, Vance, Welborn, Zolnikov, Mr. Speaker.

Total 37

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 154 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ballance, Ehli, Greef, Pomnichowski, Swanson.

Total 5

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 194 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Greef,

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Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Bangerter, J. Bennett, Doane, Fitzpatrick, Flynn, Gibson, Glimm, Hertz, Kerns, McNally, Miller, Schwaderer, Williams.

Total 13

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 226 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.

Total 2

Absent or not voting: None.

Total 0

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HB 250 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: O'Neil.
Total 1

Voted Absentee: None.

Excused: Pease-Lopez, Warburton.
Total 2

Absent or not voting: None.
Total 0

UNFINISHED BUSINESS

The following undersigned names were **ADDED** as sponsors to **HB 219** Motion carried.

HB 219 (Price Chief Sponsor)
B. Bennett, Boland, Brockie, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Wilmer, and Wilson.

The following undersigned names were **ADDED** as sponsors to **HB 358** Motion carried.

HB 358 (Kerns Chief Sponsor)
G. Bennett, Blyton, Connell, Cuffe, Doane, Edmunds, Galt, Glimm, Halvorson, Harris, Lenz, O'Neil, Randall, Regier, Salomon, C. Smith, Wagoner, White, and Zolnikov.

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SPECIAL ORDERS OF THE DAY

Representative Welborn introduced the Dillon Junior Fiddlers who performed for the House of Representatives. The fiddlers were presented with certificates of honorary membership to the House.

Representative Jerry O'Neill announced that his uncle, Carl O'Neill, who served in the House of Representatives in the 1940's had passed away January 31, 2013.

Representative O'Hara thanked the pages who had served this week and would not be able to attend Saturday's session.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, February 2, 2013. Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 2, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative McNiven. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Jacobson, Pease-Lopez and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 2/2/2013

Correctly printed: **HB 128, HB 170, HB 176, HB 177, HB 208, HB 228, HB 239, HB 245, HB 252, HB 270, HB 291, HB 308, HB 365, HB 366, HB 367, SB 29, SB 39, SB 46, SB 47, SB 64.**

Correctly engrossed: **HB 71, HB 181.**

Correctly enrolled: **HB 92.**

Transmitted to the Senate: **HB 30, HB 68, HB 154, HB 194, HB 226, HB 250.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 2/1/2013

HB 71, introduced bill, be amended as follows:

1. Title, page 1, line 6 and line 7.

Strike: "ESTABLISHING" on line 6 through "CONTROL;" on line 7

2. Title, page 1, lines 8 and 9.

Strike: "PROVIDING" on line 8 through "CONTROL;" on line 9

3. Title, page 1, line 10.

Strike: "REPEALING SECTION 2-15-2014, MCA;"

4. Title, page 1, line 11.

Following: "PROVIDING"

Insert: "AN"

Strike: "DATES"

Insert: "DATE"

5. Page 2, line 3.

Strike: "create a grant program"

Insert: "have the department of corrections apply for grants"

6. Page 2, line 11.

Strike: "grant program"

Insert: "grants"

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7. Page 2, lines 11 through 13.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

8. Page 2, line 14.

Following: "justice"

Insert: "restorative justice"

Strike: "program"

Insert: "programs"

9. Page 2, line 16.

Following: "offenders;"

Insert: "and"

10. Page 2, line 17.

Following: "local"

Insert: "and state"

11. Page 2, line 18.

Following: "justice"

Strike: "; and"

Insert: "."

12. Page 2, lines 19 and 20.

Strike: subsection (c) in its entirety

13. Page 2, line 21.

Following: "~~2-15-2014~~,"

Insert: ", 2-15-2014,"

14. Page 3, line 9 through line 10.

Strike: "The board" on line 9 through "coordination" on line 10

Insert: "The board of crime control may receive up to 10% from federal government grants for administrative costs"

15. Page 3, line 28.

Strike: "(8)"

Insert: "(7)"

16. Page 3, line 29.

Strike: "(4)"

Insert: "(3)"

17. Page 4, line 1.

Strike: "50%"

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Insert: "10%"

18. Page 4, line 29 through page 5, line 29.

Strike: sections 4 through 7 in their entirety

Renumber: subsequent sections

19. Page 6, line 1.

Strike: "DATES"

Insert: "date"

20. Page 6, lines 1 and 2.

Strike: "(1)" on line 1 through "THIS ACT" on line 2

Insert: "[This act]"

21. Page 6, line 3.

Strike: subsection (2) in its entirety

And, as amended, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/1/2013

HB 176, do pass. Report adopted.

HB 177, do pass. Report adopted.

HB 181, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "RESOURCING STANDARDS FOR"

Insert: "RATIO OF"

Following: "PERSONNEL"

Insert: "TO STUDENTS"

2. Page 1, line 26.

Strike: "resourcing" through "personnel"

Insert: "the ratio of certified library media specialists with a K-12 library media endorsement to students"

3. Page 1, following line 27.

Insert: "(8) adopt rules for library location in schools and the minimum number of certified library personnel for schools;"

Renumber: subsequent subsections

4. Page 2, line 18.

Strike: "define" through "personnel"

Insert: "determine incremental increases or decreases in certified library media specialists with a K-12 library media endorsement"

Strike: "guidelines"

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Insert: "librarian-student ratio"

5. Page 2, line 19.

Strike: "set forth"

Insert: "established"

And, as amended, do pass. Report adopted.

HB 228, do pass. Report adopted.

HB 239, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

2/1/2013

HB 291, do pass. Report adopted.

SB 39, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/1/2013

HB 21, introduced by Cook

HB 132, introduced by Lavin

HB 139, introduced by Lavin

Senate bill passed and transmitted to the House for concurrence:

2/1/2013

SB 28, introduced by Thomas

SB 31, introduced by Debby Barrett

SB 113, introduced by Blewett

SB 145, introduced by F. Moore

SB 146, introduced by Buttrey

SB 165, introduced by Caferro

Senate joint resolution passed and transmitted to the House for concurrence:

2/1/2013

SJR 3, introduced by Murphy

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 365, introduced by Steenberg, Ehli, Lenz, Osmundson, Squires, referred to Human Services.

HB 366, introduced by Lynch, Hollandsworth, Noonan, Sesso, referred to Appropriations.

HB 367, introduced by McNiven, referred to Transportation.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Zolnikov in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 128 - Representative Hollenbaugh moved **HB 128** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: J. Bennett, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Osmundson, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton.

Total 14

Voted Absentee: Jacobson, Pease-Lopez, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: Galt.

Total 1

HB 170 - Representative Galt moved **HB 170** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Mr. Speaker.

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hagstrom, Hill, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 38

Voted Absentee: Warburton, Aye; Jacobson, Pease-Lopez, No.

Excused: None.
Total 0

Absent or not voting: Zolnikov.
Total 1

HB 208 - Representative O'Neil moved **HB 208** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kerns.
Total 1

Voted Absentee: Jacobson, Pease-Lopez, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 245 - Representative Edmunds moved **HB 245** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lang,

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Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, Cook, Cuffe, Flynn, Jones, Kary, Kerns, Knudsen, Miller, Redfield, Regier, Reichner, C. Smith, Warburton, Welborn, White.

Total 16

Voted Absentee: Jacobson, Pease-Lopez, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 252 - Representative Ingraham moved **HB 252** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Berry, Brodehl, Welborn.

Total 4

Voted Absentee: Jacobson, Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

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HB 270 - Representative Schwaderer moved **HB 270** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Greef.

Total 1

Voted Absentee: Jacobson, Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 308 - Representative Lang moved **HB 308** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: McChesney.

Total 1

Voted Absentee: Jacobson, Pease-Lopez, Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 29 - Representative Fitzpatrick moved **SB 29** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Kerns, McCarthy, O'Neil, Pomnichowski, C. Smith, Warburton.

Total 6

Voted Absentee: Jacobson, Pease-Lopez Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 46 - Representative Pierson moved **SB 46** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

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Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Flynn, Harris, Howard, Kary, Kerns, Miller, O'Neil, Randall, Schwaderer, C. Smith, Wagoner, Warburton.

Total 18

Voted Absentee: Jacobson, Pease-Lopez Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 47 - Representative Curtis moved **SB 47** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Flynn, Galt, Glimm, Greef, Howard, Kerns, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Warburton, Washburn, Zolnikov.

Total 24

Voted Absentee: Jacobson, Pease-Lopez Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 64 - Representative Hunter moved **SB 64** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson,

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Woods, Mr. Speaker.

Total 62

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Glimm, Halvorson, Hansen, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 38

Voted Absentee: Jacobson, Pease-Lopez Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Zolnikov moved the Committee of the Whole report be adopted. Report adopted unanimously.

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: Mehlhoff.

Total 1

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 61

Nays: J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Harris, Howard, Kary, Kerns, Knudsen, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov.

Total 35

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: Connell.

Total 1

HB 24 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

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Nays: Kerns, McNiven.

Total 2

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: Harris, Peppers.

Total 2

HB 37 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 78

Nays: B. Bennett, Coffin, Court, Eck, Fiscus, Hill, MacDonald, McCarthy, McNally, Miller, Neill, Pierson, Pomnichowski, Schwaderer, Squires, Steenberg, Swanson, Wagoner, Woods.

Total 19

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 106 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall,

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Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Harris, Kerns, Vance.

Total 3

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 184 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: None.

Total 0

SB 8 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: None.

Total 0

SB 50 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Jacobson, Pease-Lopez, Warburton.

Total 3

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Vance moved **SB 47** be moved to the Appropriations committee.
Majority Leader Vance moved **HB 170** be moved to the Appropriations committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 178**
Motion carried.

HB 178 (Price Chief Sponsor)

Boland, Brockie, Coffin, Court, Eck, Gursky, Hill, Hunter, Jacobson, McChesney, McClafferty, McNally, Mehlhoff, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Squires, Steenberg, Swanson, Whitford, Wilmer, and Woods.

SPECIAL ORDERS OF THE DAY

Representative O'Hara thanked this weeks pages for their services.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, February 4, 2013. Motion carried.

House adjourned at 9:00 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 4, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Curtis. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hagan, Squires, excused. Quorum present.

MOTIONS

Majority Leader Vance moved the House recess for the purpose of receiving the State of Education Address by the Superintendent of Public Instruction, Denise Juneau. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Blasdel requested Sergeant-at-Arms Spencer admit the Honorable Senate into the House Chambers.

Speaker Blasdel introduced Senate President Essmann and yielded the chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving the State of Education Address by the Superintendent of Public Instruction, Denise Juneau. Motion carried.

Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Superintendent of Public Instruction, Denise Juneau that the body was in joint session and ready to receive her address. Motion carried.

President Essmann appointed Senator Stewart-Peregoy, Senator Moore, Representative Lang, and Representative Price to escort Superintendent Juneau into the House Chambers.

Sergeant-at-Arms Ritter announced that Superintendent of Public Instruction, Denise Juneau, was awaiting entrance to the House. The Committee escorted Superintendent Juneau into the chambers.

President Essmann introduced Superintendent of Public Instruction, Denise Juneau to the Joint Session.

Superintendent Juneau gave the following remarks:

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Thank you President Essmann, Speaker Blasdel, Representatives, Senators, and honored guests for this opportunity to provide the State of Education.

I want to begin by recognizing my parents, Stan and Carol. They are both life-long educators and taught me the value of education. My mom used to be one of you, representing the people of Montana in both the House and the Senate. I kind of miss her being in the Legislature. I could always count on at least one vote when she was here.

I also want to recognize my Deputy Superintendent, Dennis Parman, and my Chief of Staff, Madalyn Quinlan. They represent the great state workers we have at OPI. Thank you for the work that you do on behalf of Montana's schools and students.

I have a great job. I get to travel all over our beautiful state and see first-hand why we have so many reasons to be proud of our public schools. Our students consistently perform in the top ten states in reading, math and science. In fact, our 8th graders were the top performers in science and in the top two in math last year. Dropout rates are decreasing and graduation rates are climbing. We have great outcomes in Montana because our schools are innovative and work to meet the needs of their communities and students.

Over sixty of our small schools have changed their schedules to a four day school week. This allows every student an opportunity to participate in extracurricular activities, and parents do not have to take their student out of school for appointments and such. I recently visited with the superintendent from Centerville who said, as a result of changing to a four day school week, students have 721 fewer absences, and teacher and student morale is up. This is just one example of innovative strategies happening in our rural schools.

Helena offers Montessori classes in their elementary schools. Missoula is starting Spanish language immersion classes next year. Billings has a Career Center with over 1,200 students attending. Browning has the Blackfeet Academy that helps their most at-risk students succeed. Laurel has started an alternative school this year. There are innovative education strategies everywhere in this state. And, it is all happening within our public system. This innovation helps keep us at the top of the nation.

And, speaking of innovation in our public education system, in 2011, the Legislature appropriated \$2 million to create an online high school course delivery system known as the Montana Digital Academy. What a visionary action to take! The Digital Academy is now an important part of our quality public education system in our huge, rural state. Its courses are taught by Montana public school teachers and are serving nearly 4,000 public and home-schooled students each year, and it continues to grow. The MTDA is providing students in rural schools access to elective courses that have never before been available to them, including world languages and Advanced Placement courses. In our urban schools, the credit recovery classes allow students to catch up to their peers, increasing our graduation rates in our largest school districts.

With the increasing demand for these courses, we expect the MTDA to grow to 10,000 enrollments each year by 2015. That is why I have asked you to increase your \$2.3M appropriation by \$1.5M over the next biennium. This type of innovation within our public education system is one that you,

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as legislators, should be very proud of, because you helped support its success. No matter where students attend school, the MTDA provides the opportunity for students to take diverse classes like dual credit courses offered by the Montana University System, Web design, and Personal Finance.

I have a friend who is a teacher in Arlee, Ms. Baldwin, who also teaches a Native American Studies class through the Digital Academy. She teaches students in Missoula, Kalispell, Kevin, Sunburst, Harlowtown, Plentywood, Ekalaka, Big Sandy, and Fishtail.

These online courses provide interaction among students who would not normally meet in a classroom – kids from our cities and reservations learning calculus together; public school students and home schooled students learning Montana history together. The MTDA is a Montana success story. It deserves your attention and support.

We should definitely celebrate our many accomplishments. But we also know there's much more to do. I want every student to graduate from high school, and I want their K-12 education to prepare them to succeed in college or start their careers. When I came into office, more than 2,400 students were dropping out of school. That's way too many. I knew we could do better.

I brought a bill to raise the legal dropout age to the 2011 Legislative Session. It was sponsored by your colleague, Sen. Taylor Brown. Despite this bill not making it out of committee, I was not deterred from my belief that we could do more to decrease our dropout rate. After the 2011 Session, I worked hard to bring statewide attention to our dropout challenge. I traveled around the state and worked with schools, community organizations, and businesses to create a statewide Graduation Matters presence.

This year, sixty-five percent of Montana students attend a school where there is a Graduation Matters initiative happening in their community. Over 7,000 students have participated in the "I Pledge to Graduate" campaign. We have established some great public-private partnerships that allow us, at the state level, to fund local Graduation Matters efforts: a \$450,000 grant from the Dennis and Phyllis Washington Foundation, \$20,000 from State Farm, and \$50,000 from the Student Assistance Foundation. And several other businesses and organizations like Town Pump Hotels, Optimum Cable, and Northwest Energy have helped my Student Advisory Board meet and supported the Graduation Matters Summit we held last summer.

A lot of work has happened in between legislative sessions. And, all of this work is paying off. Our dropout rates are going down, and our graduation rates are going up. In a little less than four years, we've seen the dropout numbers decrease by nearly 600 – or to 1,841 students. This is due to all of the hard work going on at the local level where schools, non-profit organizations, main street businesses and families are working together to support students.

There is so much going on across this state – I want to give you a couple of examples. In Hardin, they created an after-school credit recovery program for seniors who were short of credits to graduate. Every student who participated graduated on-time with their class – more than 20 students who were inspired and motivated by just a little extra help. When I was at Hardin's Graduation Matters kick-off event, they had students who wrote essays, had an art contest, and

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created public service announcements. One Hardin student told her teacher, "I looked Denise Juneau in the eye and pledged to graduate from high school, and I'm going to do it." That's the power of high expectations.

In Miles City, the student-led Graduation Matters event had students, teachers, and community members attempt to set the Guinness world record for largest number of people engaged in a thumb war.

In Kalispell, they recently brought all 700 of their 8th graders to the fairgrounds for a Graduation Matters event. Participating students agreed that graduation is the key to pursuing their dreams, achieving success and gaining respect in their community.

In St. Ignatius, I attended an all-grade community showcase evening event. The entire school focused on Graduation Matters activities. A few days later, I received a note from a mom who wrote that her son gave her a framed picture of him posing with his pledge to graduate for mother's day.

Just last week, I was in Browning for their Graduation Matters event. 1,800 K-12 students gathered in the high school gym and took the pledge to graduate. There were original songs, cheers, and dancing. It was quite the celebration, and, really, quite the homecoming.

I visited with one of my classmates who is now a teacher. She told me that she had been skeptical of Graduation Matters. She worried that it was simply a PR campaign and really wouldn't result in much change. But, she said that as they built the program and talked more and more about graduation, she saw a change in her students. They started talking about going to college and their life aspirations. They started taking their discussion about the importance of graduating home. She now believes in Graduation Matters. Those kinds of stories are permeating across the state.

I could use the Legislature's help in promoting the idea that Graduation Matters to everyone in our state. Schools and communities have put in the hard work to focus on increasing the graduation rate—it's now time for you, as state legislators, to step up and partner with these local efforts and set high expectations for all students and schools.

I ask that you work with your colleagues on the Senate Education committee to bring Senate Bill 13, sponsored by Senator Wanzenried, to raise the legal dropout age, back to life and pass it. It's time for the legislature to set the expectation that our students should graduate from high school. You can set that expectation by passing Senate Bill 13. The bill is not a cure-all for our dropout problem. As lawmakers you know that issues as complex as this cannot be solved by one bill. But it does set an expectation that, in today's economic climate, it's imperative that a student have a diploma or certificate as they enter adulthood, and raising the legal dropout age will make a difference. We expect about 250 students annually will change their minds about dropping out if this bill passes.

The last time we raised our expectations of students in this area was 1921 – 90 years ago – when we asked that they stay in school until they turned 16 or completed 8th grade. Our 21st Century

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realities cannot be sustained by our 100 year old policies. We must set our expectations higher than an 8th grade graduation. A principal from Thompson Falls stated during the hearing that "educators aren't in the business of giving up on students." Let's make that true all across this state – because we know that there are no throwaway kids.

There is also another bill, Senate Bill 14, sponsored by Senator Wanzenried, which will support schools when they do the right thing by allowing students who may need a little extra time to finish their high school diploma, even though they have turned 19 years old. This past year, there were about 50 schools, both large and small, that educated 135 students older than 18.

Right now, we are the only state in the country that does not provide funding for educating these students. I suspect Senate Bill 14 will be on the Senate floor very soon – I urge you to pass it and get it to the Governor's desk.

I know that we must do more than simply make sure students graduate from high school. We must ensure their diploma means something when they cross the stage. That's why I worked with the Board of Public Education to raise our learning standards in English and math, standards that we share with 45 other states.

The OPI and the Board of Public Education have set the stage for great things to happen in our public schools. The Chairperson of the Board of Public Education, Patty Myers, is sitting up here in the front. Please help me thank her for her leadership.

Because of the Board of Public Education's leadership, we no longer have standards that are a mile wide and an inch deep. They are rigorous and provide a clear pathway of learning for each grade level. They make it very clear to parents and teachers what students should be learning. If properly implemented, Montana students will be ready to compete not only with their peers across the country, but across the globe.

Schools have already started aligning their local curriculum to the standards, providing training to teachers and school leaders and educating parents on the upcoming changes. Additional training is needed if we are to be successful in this endeavor. Legislative support in this effort will make sure that every education professional has equal access to high quality training throughout our state. I am requesting a one-time-only \$4 million appropriation to support regional training for our schools so every teacher, no matter where they are in Montana, is able to get their students to reach the higher bar set in our new English and math standards.

Technology is also a big part of these new standards and it continues to deeply affect the way we work, and now, with a new online state assessment in 2015, it will help inform how our schools perform – not only across the state, but compared to schools across the country.

Our schools need to have 21st Century classrooms where technology is a tool that is integrated into learning. I have been to schools that use document cameras, laptop carts and Promethean boards — the interactive "smart boards" that are changing the way some lessons are being delivered. In Lavina, students use their school laptop to conduct science research on insects. The teacher says the use of technology in classroom lessons has created a classroom full of excited

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and motivated research scientists.

East Helena schools bought iPads for every 3rd and 6th grader in their school district. Other grades have access to mobile technology labs of computers and other devices. They use these new devices to access lessons that are not available in their textbooks. The school board is using technology to prepare their kindergarten students to enter the workforce in 2025, and changing their instruction to match a world that we can only imagine.

In that spirit, I ask you to support Governor Bullock's \$6 million one-time-only request to help all schools beef up their technology and move toward every classroom being a digital one.

As I stated earlier, I get to travel all across our state and observe great classroom teaching and learning. This fall, I was in Great Falls to attend their Graduation Matters kick-off. They highlighted the class of 2025 – this year's first graders. That makes you feel old, right? They asked each student what they wanted to be when they grew up. There were a few scientists, a couple rock stars – then one little girl stated that she wanted to be a rainbow unicorn.

It got me thinking – how do we support every child to reach their dreams? What career track and course offerings and curriculum do we provide to this young student to achieve her dreams? Then, one of the administrators told me that children who dream of becoming rainbow unicorns become our future teachers.

It's true that our teachers are resourceful, innovative, and caring. They work every day to teach students to think critically, build imagination, and develop creativity. Our classroom teachers are the everyday heroes in our education system, and they deserve our respect. No other profession is more responsible for securing our economic future.

We also have teachers that go above and beyond the call of duty. These are our Teachers of the Year. I want to introduce Montana's 2013 Teacher of the Year, Eileen Sheehy – who is sitting here in the front row. I visited Billings West High School right after she received teacher of the year status. It was during a student assembly where students gave her a standing ovation and a bouquet of flowers. Every person I talked to – students, teachers, and administrators – all spoke highly of Ms. Sheehy. I know that she is a great representative of Montana's teaching profession. In the words of one of her students, "she is pretty stellar." Please help me to thank Ms. Sheehy for growing up to be one of Montana's most impressive rainbow unicorns.

When we get down to the basics of public education, we need to not only respect the people who work in schools, we must also listen to students. Two years ago, I started the first ever Student Advisory Board. Forty students from across the state let me know what is happening in their schools and classrooms and advise me on how we might best move Montana's education system forward. These students are from both large and small schools, some are valedictorians of their class, some have dropped out of school and dropped back in, some have lots of family and community support, some struggle to make it to school every day. Each one of them is inspiring.

One of my former Student Advisory Board members is in the gallery today, Sapphire Carter. She is a graduate from Rocky Boy High School, a member of the Chippewa-Cree Tribe and is now

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attending Carroll College, double majoring in History and Political Science. She and a fellow student started a mentoring program at their high school, partnering an upperclassman with an entering freshman to provide on-the-ground training for navigating high school. It's an example of a great student-led program and student leadership.

I had the honor of being the commencement speaker for Sapphire's graduating class where she was the valedictorian and it was announced that she was a recipient of a Gates Millennium Scholarship, a full-ride to college. I recently asked Sapphire about her experience on the Student Advisory Board. She said that, as a result of her experience on the board, she is now committed to encourage others to finish high school and attend college. She learned how much an education is worth – that an education is the difference between economic security and having no food on the table. She is now interning at the Commissioner of Higher Education's office and working with GEAR UP, a program that helps other students set their sights on college. Thank you, Sapphire, for helping to make Montana's future a little more bright.

I will continue my work with my Student Advisory Board. I learn so much from them about what it is like to be a young person growing up in the 21st Century. They also let me know when my ideas are "lame" and should be thrown aside. We could all benefit from their candidness about our policy ideas. Our young people are smart, creative, and ready to lead.

Students tell me the number one thing they want in their learning is relevancy. And, there is not a more relevant learning experience than the one offered by career and technical education courses. It is an important component of Graduation Matters. In fact, students who take three or more Career and Technical Education courses have a graduation rate of 96%, far exceeding the statewide average.

As I travel the state speaking with business leaders, I am consistently told they are looking for employees not only with academic knowledge but also with skills such as a strong work ethic, time management, team work, communications, problem-solving, and self-confidence. These are exactly the type of skills that students attain when they are part of Career and Technical Student Organizations.

Newer student organizations like Health Occupation Students of America are recruiting and preparing the future health professionals of our state, and FFA, which has been thriving in Montana since the 1930s, continues to provide thousands of Montana students with learning and leadership opportunities.

Keeping our Career and Technical Student Organizations thriving is a critical piece of my Graduation Matters agenda this legislative session. I'm working with Rep. Jesse O'Hara on a proposal to increase state support for these programs by \$1 million so they can expand their membership and continue to graduate students who are prepared for college and the workforce.

As part of Graduation Matters Montana, I have also forged a strong partnership with the Montana University System and Commissioner of Higher Education Clay Christian. Over the past two years, we have worked together to streamline our systems so more students have the opportunity to attend college. We are connecting our data systems so students can push a button and send their

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high school transcript to any college for admission. We will connect the new Common Core standards to entry level college courses so everyone is on the same page about the content students must have to be prepared for college algebra and Composition 101.

This will help to decrease our remediation rates and make sure our high school students not only graduate, but that they are prepared for college if they choose to attend. We have worked together so this spring, every high school junior will have the opportunity to take the ACT at no cost to their family.

Thank you to our Board of Regents Chairperson, Angela McLean, and Commissioner of Higher Education Clay Christian, for your commitment to access and affordability in our university system for every Montanan.

We are also working together to increase the number of high school students taking college courses before they graduate. I meet high school students who are getting a head start on becoming nurses, IT specialists, auto mechanics, chefs, or engineers through dual credit programs. We know that high school students who take college-level courses are more likely to graduate, enter college, and stay in college. Montana currently ranks 37th in the nation for the percentage of 15 to 17 year olds taking at least one college course. We can do better.

I ask you to support the Governor's budget proposal for \$2M to help boost our two-year college participation, including dual credit opportunities. I also ask you to support House Bill 166, sponsored by Representative Amanda Curtis, which redirects lottery proceeds to Montana University System student aid, part of which includes tuition reimbursement to families paying for their high school student to take college-credit courses before they graduate.

I am proud to be the top advocate for public education. Public education means so much to all of us. It is still the great equalizer. It is the last great public endeavor we have in America that is open to all, to every citizen. Public education proves that America is still the land of opportunity.

I know the value of a Montana public education because it's a gift I was given. It is part of who I am, and part of what drove me to become an educator. And I know what we have to lose if we don't preserve and strengthen public education for generations to come.

There is no better economic development tool than making sure our young people receive a quality education so they can secure a good job and are better able to support a family. To be pro-business, you have to be pro-education.

As your State Superintendent, I will continue to celebrate the great things happening in our public education system. I will continue to confront our challenges head-on by working with local schools and communities. I will continue to fiercely advocate for all those who dedicate their lives to public education and most of all, for our kids.

Join me in standing up for our kids, our public schools, and all the parents, educators, staff, and leaders who work daily to build a more prosperous future for Montana. We need to unite behind public education. An investment in public education is an investment in our future. It is the number

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one jobs issue of this legislative session. I call on you to do the right thing and invest in our public schools so they have the resources they need to stay at the top of the nation.

Thank you for all that you do for the State of Montana. I consider it an honor to work with you.

President Essmann thanked Superintendent Juneau and directed the committee of four to escort Superintendent Juneau from the Joint Session.

Senate Majority Leader Wittich moved that the Joint Session of the 63rd Legislature be adjourned. Motion carried.

House Session Reconvened.

BILLS (O'Hara, Chair):

2/4/2013

Correctly printed: **HB 157, HB 187, HB 210, HB 344, HB 368.**

Correctly engrossed: **HB 206, HB 244, HB 256, HB 274, HR 2.**

Examined by the sponsor and found to be correct: **HB 21, HB 132, HB 139.**

Transmitted to the Senate: **HB 16, HB 24, HB 37, HB 106, HB 184, SB 8, SB 50.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

2/4/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, February 2, 2013:

Cayley Boyd, Bozeman
Ashley Finley, Cascade
McKenna Wilson, Kalispell
Jordann Duffy, Butte
Mark Hovland, Billings
Ben Yturri, Great Falls
Joseph Giles, Great Falls
Megan Crossland, Cascade

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 4, 2013:

Elizabeth Raiha, Butte
Austin DeShaw, Plentywood
Tiffany Marks, Kalispell
Bailey Thompson, Butte
Blu Cuelho, Manhattan
Hallie Schwend, Twin Bridges
Report Adopted.

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REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Bennett, Chair):

2/1/2013

HB 244, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "laws."

Insert: "A person found to be unlawfully using water pursuant to this section shall plug and abandon the well."

And, as amended, do pass. Report adopted.

HB 256, introduced bill, be amended as follows:

1. Page 2, line 22.

Strike: "the property owners"

Insert: "each property owner"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

2/2/2013

HB 92, introduced by Curtis

Senate bills passed and transmitted to the House for concurrence:

2/2/2013

SB 108, introduced by T. Brown

SB 122, introduced by Facey

SB 136, introduced by Larsen

SB 137, introduced by Olson

SB 147, introduced by Buttrey

SB 154, introduced by Vincent

SB 162, introduced by Keane

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 344, introduced by Hoven, referred to Agriculture.

HB 368, introduced by Clark, Coffin, Cuffe, Gursky, referred to Local Government.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Halvorson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 157 - Representative Connell moved **HB 157** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Coffin, Connell, Cook, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Boss Ribs, Court, Curtis, Lynch, MacDonald, McClafferty, Neill, Noonan, Pease-Lopez, Pomnichowski, Squires, Wilson.

Total 12

Voted Absentee: Hagan, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: Clark.

Total 1

HB 187 - Representative Flynn moved **HB 187** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hagan, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 206 - Representative Gibson moved **HB 206**, second reading copy, be amended as follows:

1. Page 1, line 16.

Following: ".₁"

Insert: "and"

2. Page 1, line 17.

Following: "2015"

Insert: "and subsequent years"

3. Page 1, lines 18 through 19.

Strike: subsections (d) and (e) in their entirety

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie,
Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus,
Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth,
Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz,
Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,
Miller, Moore, Noonan, O'Hara, Osmundson, Peppers, Pierson, Price, Randall, Redfield,
Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires,
Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Wilmer,
Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: J. Bennett, Court, Edmunds, Flynn, Gursky, Halvorson, Harris, Hoven, Howard, Kerns,
Neill, O'Neil, Pease-Lopez, Pomnichowski, Wagoner, Williams, Wilson.

Total 17

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Voted Absentee: Hagan, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 206 - Representative Flynn moved **HB 206**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Following: "PROVIDING AN"

Insert: "EFFECTIVE DATE AND AN"

2. Page 2, line 3.

Following: line 3

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2013."

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Hagan, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 206 - Representative Flynn moved **HB 206**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 87

Nays: Ankney, J. Bennett, Berry, Cuffe, Fitzpatrick, Hagstrom, Howard, Kerns, O'Neil, Reichner, C. Smith, Welborn, Mr. Speaker.
Total 13

Voted Absentee: Hagan, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 210 - Representative McClafferty moved **HB 210** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 82

Nays: Edmunds, Fitzpatrick, Galt, Harris, Howard, Jones, Kerns, Knudsen, Lang, McNiven, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Vance, Warburton, White.
Total 18

Voted Absentee: Hagan, Squires, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 257 - Representative Wilson moved **HB 257** do pass. Motion **failed** as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hagstrom, Hill, Hollenbaugh, Hunter, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 43

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Voted Absentee: Hagan, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 274 - Representative Greef moved **HB 274**, second reading copy, be amended as follows:

1. Page 2, line 4 through line 7.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

2. Page 4, line 16.

Following: "employees,"

Strike: "designated"

3. Page 11, line 24.

Following: "contractors."

Strike: "designated"

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Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hagan, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 274 - Representative Greef moved **HB 274**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.
Total 72

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Jacobson, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Swanson, Williams, Wilmer, Wilson, Woods.
Total 28

Voted Absentee: Hagan Aye; Squires, No.

Excused: None.
Total 0

STATE INTERNET/BBS COPY

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Absent or not voting: None.

Total 0

HR 2 - Representative Cuffe moved **HR 2**, second reading copy, be amended as follows:

1. Page 1, line 23 through line 27.

Strike: line 23 through line 27

2. Page 2, line 21 through line 22.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: Hagan, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: Gibson, O'Hara.

Total 2

HR 2 - Representative Randall moved **HR 2**, as amended, be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith,

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Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Hagan, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Halvorson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pomnichowski, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 80

Nays: B. Bennett, Boland, Court, Eck, Hill, Lieser, McCarthy, McNally, Neill, Peppers, Pierson, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford.

Total 17

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: Regier.

Total 1

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 128 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: J. Bennett, Edmunds, Harris, Howard, Kerns, Osmundson, Redfield, Regier, Schwaderer, C. Smith, Warburton.

Total 11

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: Hoven.

Total 1

HB 208 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Kerns.

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Total 1

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 245 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: J. Bennett, Cook, Cuffe, Fitzpatrick, Flynn, Hansen, Harris, Jones, Kary, Kerns, Knudsen, Lang, Miller, Redfield, Regier, Reichner, C. Smith, Vance, Warburton, Welborn, White.

Total 21

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 252 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods,

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Zolnikov, Mr. Speaker.

Total 93

Nays: J. Bennett, Berry, Brodehl, Miller, Welborn.

Total 5

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 270 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 308 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter,

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Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: None.

Total 0

SB 29 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: J. Bennett, Jones, Kerns, McCarthy, O'Neil, Pomnichowski, Schwaderer, C. Smith.

Total 8

Voted Absentee: None.

Excused: Hagan, Squires.

Total 2

Absent or not voting: Fiscus.

Total 1

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SB 46 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 77

Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Hansen, Harris, Howard, Jones, Kerns, Miller, O'Neil, Randall, Schwaderer, C. Smith, Wagoner, Warburton, Zolnikov.
Total 21

Voted Absentee: None.

Excused: Hagan, Squires.
Total 2

Absent or not voting: None.
Total 0

SB 64 concurred in as follows:

Yeas: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 52

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, Zolnikov, Mr. Speaker.
Total 45

Voted Absentee: None.

Excused: Hagan, Squires.

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Total 2

Absent or not voting: Ankney.

Total 1

MOTIONS

Majority Leader Vance moved **HB 274** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 359** be moved from the Judiciary committee to the Natural Resources committee.

UNFINISHED BUSINESS

The following undersigned names were **ADDED** as sponsors to **HJR 6**.

HJR 6 (Hill Chief Sponsor)

B. Bennett, Boland, Brockie, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Jacobson, Lieser, Lynch, McCarthy, McClafferty, Noonan, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Wilmer, Wilson, and Woods.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, February 5, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 5, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Clark. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Peppers, Squires, excused. Quorum present.

BILLS (O'Hara, Chair):

2/5/2013

Correctly printed: **HB 27, HB 49, HB 78, HB 79, HB 92, HB 95, HB 133, HB 214, HB 217, HB 251, HB 258, HB 262, HB 273, HB 296, HB 320, HB 369, HB 370, HB 371, HB 372, HB 373, HB 374, HB 377, HB 378, HB 379, HB 380, HB 381, HB 382, HB 383, HB 384, HB 385, HB 386, HB 387, HB 388, HB 389, SB 30, SB 32, SB 87, SB 111, SB 121, HJR 5, SJR 2 .**

Correctly engrossed: **HB 178.**

Correctly enrolled: **HR 2, HB 34, HB 35, HB 51.**

Examined by the sponsor and found to be correct: **HB 92.**

Signed by the Speaker at 9:10 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the Chief Clerk of the House at 10:15 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the President at 11:43 a.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Delivered to the Governor for approval at 2:09 p.m., February 5, 2013: **HB 21, HB 132, HB 139.**

Signed by the Speaker at 3:30 p.m., February 5, 2013: **HR 2.**

Signed by the Chief Clerk of the House at 3:35 p.m., February 5, 2013: **HR 2.**

Delivered to the Secretary of State at 3:42 p.m., February 5, 2013: **HR 2.**

Signed by the Speaker at 4:00 p.m., February 5, 2013: **HB 92.**

Signed by the Chief Clerk of the House at 4:04 p.m., February 5, 2013: **HB 92.**

Signed by the President at 4:45 p.m., February 5, 2013: **HB 92.**

Transmitted to the Senate: **HB 128, HB 208, HB 245, HB 252, HB 270, HB 308, SB 29, SB 46, SB 64.**

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Howard, Chair):

2/1/2013

HB 262, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/4/2013

HB 178, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS 20-7-507 AND"

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2. Page 1, following line 8.

Insert: "Section 1. Section 20-7-507, MCA, is amended to read:

"20-7-507. District traffic education fund. The trustees of any district maintaining a traffic education course shall establish a special nonbudgeted fund with the county treasurer for traffic education. All nontax receipts for traffic education must be deposited in the district's traffic education fund. The expenditure of the money deposited in the district's traffic education fund is not subject to the budgeting provisions of this title, and the money may be expended for traffic education. A district may not transfer funds from the traffic education fund to any other fund or to another entity. Funds in the traffic education fund must be used to increase the rate of student participation in traffic education, including recruiting instructors and reducing the cost to students and parents of students who participate in traffic education."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 32, be concurred in. Report adopted.

SB 87, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/4/2013

SB 111, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/5/2013

SB 30, be concurred in. Report adopted.

SB 121, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON PENSIONS (Lewis, Chair):

2/5/2013

HB 320, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/4/2013

SB 18, introduced by Hamlett

SB 83, introduced by Murphy

SB 148, introduced by L. Jones

SB 161, introduced by Tropila

SB 172, introduced by Walker

MESSAGES FROM THE GOVERNOR

February 5, 2013

The Honorable Mark Blasdel

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Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 20** sponsored by Representative Cook, **House Bill 25** sponsored by Representative Gibson, and **House Bill 42** sponsored by Representative Regier on February 5, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 369, introduced by Fitzpatrick, referred to Judiciary.

HB 370, introduced by Kary, Larsen, MacDonald, Rosendale, Wanzenried, referred to Judiciary.

HB 371, introduced by Ingraham, referred to Local Government.

HB 372, introduced by Hollandsworth, B. Bennett, Calf Boss Ribs, Coffin, Facey, Hollenbaugh, Lynch, McClafferty, Noonan, Pierson, Price, Schreiner, Sesso, Vuckovich, Wilmer, Woods, referred to Education.

HB 373, introduced by Reichner, Schwaderer, referred to Taxation.

HB 374, introduced by Fitzpatrick, Blasdel, Hansen, Knudsen, C. Smith, Vance, Welborn, Wittich, referred to Judiciary.

HB 377, introduced by Woods, referred to Joint Select Committee on Pensions.

HB 378, introduced by McClafferty, B. Bennett, Calf Boss Ribs, Coffin, Curtis, Facey, Hollenbaugh, Lynch, MacDonald, Noonan, Pierson, Price, Schreiner, Vuckovich, Wilmer, referred to Education.

HB 379, introduced by Lieser, B. Bennett, Curtis, Gursky, Schreiner, referred to Local Government.

HB 380, introduced by Lieser, B. Bennett, Gursky, Schreiner, referred to Local Government.

HB 381, introduced by Lieser, B. Bennett, Gursky, Schreiner, referred to Natural Resources.

HB 382, introduced by Bangerter, Jent, referred to Joint Select Committee on Pensions.

HB 383, introduced by Fiscus, Webb, referred to Transportation.

HB 384, introduced by O'Neil, referred to Judiciary.

HB 385, introduced by Lavin, referred to Judiciary.

HB 386, introduced by Lavin, referred to Judiciary.

HB 387, introduced by Hansen, Debby Barrett, Blasdel, Knudsen, Vance, Wittich, referred to Education.

HB 388, introduced by Cuffe, referred to Natural Resources.

HB 389, introduced by Mehlhoff, referred to Natural Resources.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Eck in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 2 - Representative Miller moved **SJR 2** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 27 - Representative Washburn moved **HB 27** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 68

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McClafferty, McNally, Neill, O'Hara, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 32

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 49 - Representative Ingraham moved **HB 49** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Hertz, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Harris, Hill, Hollandsworth, Hollenbaugh, Hunter, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 43

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 78 - Representative Regier moved **HB 78** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Schwaderer.

Total 1

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: Edmunds.

Total 1

HB 79 - Representative Berry moved **HB 79** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: J. Bennett, Kerns, Schwaderer, C. Smith, Vance.

Total 5

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 95 - Representative Wilmer moved **HB 95** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 79

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Harris, Ingraham, Kerns, Miller, Osmundson, Randall, Redfield, C. Smith, Vance, Warburton, Zolnikov.
Total 21

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 133 - Representative Berry moved **HB 133** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 72

Nays: J. Bennett, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Kerns, Knudsen, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.
Total 28

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 214 - Representative Wagoner moved **HB 214** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: McNiven.

Total 1

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 215 - Representative Greef moved **HB 215** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Halvorson, Harris, Hertz, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Washburn, White, Mr. Speaker.
Total 39

Nays: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Doane, Dudik, Eck, Flynn, Gibson, Gursky, Hagstrom, Hansen, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

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Total 61

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 217 - Representative Howard moved **HB 217** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 88

Nays: Boland, Dudik, Hill, Jacobson, Lynch, Noonan, Pomnichowski, Schreiner, Williams, Wilson, Woods.

Total 11

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: O'Neil.

Total 1

HB 251 - Representative Ingraham moved **HB 251** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires,

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Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Dudik, Lavin, Regier.

Total 3

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: Hansen.

Total 1

HB 258 - Representative B. Smith moved **HB 258** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ballance, B. Bennett, O'Neil, Redfield, Regier, Schwaderer, Wagoner, White.

Total 8

Voted Absentee: Peppers, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 273 - Representative McClafferty moved **HB 273** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 296 - Representative Ingraham moved **HB 296** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov.
Total 83

Nays: J. Bennett, Cuffe, Fitzpatrick, Halvorson, Hansen, Harris, Jacobson, Lavin, Mehlhoff, Osmundson, Pomnichowski, Regier, Vance, Wagoner, Warburton, Williams, Mr. Speaker.
Total 17

Voted Absentee: Peppers, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 5 - Representative O'Neil moved **HJR 5** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: Peppers, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Eck moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Peppers, Squires.

Total 2

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 157 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Clark, Neill, Pomnichowski, Wilson.

Total 4

Voted Absentee: None.

Excused: Peppers, Squires.

Total 2

Absent or not voting: Ankney, Shaw.

Total 2

HB 187 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson,

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Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Peppers, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 206 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilson, Woods.

Total 88

Nays: J. Bennett, Berry, Fitzpatrick, Kerns, O'Neil, C. Smith, Welborn, Wilmer, Zolnikov, Mr. Speaker.

Total 10

Voted Absentee: None.

Excused: Peppers, Squires.

Total 2

Absent or not voting: None.

Total 0

HB 210 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli,

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Fitzpatrick, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Edmunds, Fiscus, Galt, Greef, Harris, Howard, Jones, Kerns, Knudsen, Lang, McNiven, O'Neil, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Vance, White, Zolnikov.

Total 20

Voted Absentee: None.

Excused: Peppers, Squires.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 49** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 95** be moved to the Appropriations committee.

Majority Leader Vance moved **HB 273** be moved to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Wilmer asked the body to rise for a moment of silence for Representative Peppers who recently lost a family member.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 6, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 6, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Wilson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives O'Neil, Warburton and Squires, excused. Quorum present.

BILLS (O'Hara, Chair): 2/6/2013

Correctly printed: **HB 71, HB 89, HB 195, HB 200, HB 239, HB 264, HB 278, HB 290, HB 321, HB 347, HB 375, HB 376, HB 390, HB 391, HB 392, HB 393, HB 394, HJR 10, SB 15, SB 16, SB 30, SB 32, SB 52, SB 60, SB 72, SB 73, SB 87.**

Correctly engrossed: **HB 87, HB 153, HB 247, HB 280, HB 330, HB 333.**

Correctly enrolled: **HB 56.**

Delivered to the Governor for approval at 11:45 a.m., February 6, 2013: **HB 92.**

Transmitted to the Senate: **HB 157, HB 187, HB 206, HB 210.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair): 2/5/2013

SB 60, be concurred in. Report adopted.

SB 72, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair): 2/5/2013

HB 247, introduced bill, be amended as follows:

1. Page 1, line 12 through line 13.

Strike: "game" on line 12 through "87-2-101," on line 13

Insert: "antelope, deer, elk, or moose"

2. Page 2, line 9 through line 10.

Strike: "game animals" on line 9 through "birds" on line 10

Insert: "antelope, deer, elk, or moose"

3. Page 4, line 15.

Strike: "game animals" through "upland game birds"

Insert: "antelope, deer, elk, or moose"

And, as amended, do pass. Report adopted.

HB 278, do pass. Report adopted.

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BUSINESS AND LABOR (Berry, Chair):
HB 87, introduced bill, be amended as follows:

2/6/2013

1. Page 1, line 13.

Strike: ", including" through "18042,"

2. Page 1, line 17.

Strike: "5"

Insert: "4"

3. Page 2, line 10.

Following: "33"

Strike: ", "

Insert: "and"

4. Page 2, line 11.

Strike: ", and federal law"

5. Page 2, line 17.

Strike: "5"

Insert: "4"

6. Page 2, line 20 through line 21.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

7. Page 2, line 27 through line 28.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

8. Page 3, line 8.

Following: "state"

Strike: "or federal"

9. Page 4, line 2.

Following: "33"

Insert: ", except that the administrative rules may not include by reference any provisions of Public Law 111-148 and Public Law 111-152 or any regulations promulgated under those laws"

10. Page 4, line 9.

Strike: "(2)(d)"

Insert: "(1)(d)"

11. Page 4, line 10.

Strike: "(5)"

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Insert: "(4)"

12. Page 4, line 11 through line 12.

Strike: "and" on line 11 through "seq." on line 12

13. Page 4, line 12 through line 13.

Strike: "file" on line 12 through "services" on line 13

Insert: "publish the finding on the commissioner's website"

14. Page 4, line 22 through line 27.

Strike: section 4 in its entirety

Renumber: subsequent sections

15. Page 4, line 30.

Strike: "5]."

Insert: "4] , except that the administrative rules may not include by reference any provisions of Public Law 111-148 and Public Law 111-152 or any regulations promulgated under those laws."

16. Page 5, line 28.

Strike: "5"

Insert: "4"

17. Page 6, line 2.

Strike: "5"

Insert: "4"

18. Page 6, line 4.

Strike: "5"

Insert: "4"

19. Page 6, line 10 through line 12.

Strike: section 9 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 264, do pass. Report adopted.

HB 280, introduced bill, be amended as follows:

1. Title, page 4.

Strike: "SICKNESS"

Insert: "DISABILITY"

2. Page 1, line 24.

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Strike: "sickness"

Insert: "disability"

3. Page 1, line 27.

Strike: "sickness"

Insert: "disability"

Following: "health or"

Strike: "sickness"

Insert: "disability"

4. Page 1, line 29.

Following: "health or"

Strike: "sickness"

Insert: "disability"

5. Page 2, line 1.

Strike: "sickness"

Insert: "disability"

6. Page 2, line 6.

Following: "health or"

Strike: "sickness"

Insert: "disability"

7. Page 2, line 17.

Strike: "sickness"

Insert: "disability"

8. Page 2, line 27.

Following: "health or"

Strike: "sickness"

Insert: "disability"

9. Page 3, line 12.

Following: "health or"

Strike: "sickness"

Insert: "disability"

10. Page 3, line 15.

Following: "Health or"

Strike: "sickness"

Insert: "disability"

11. Page 4, line 9.

Following: "health or"

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Strike: "sickness"

Insert: "disability"

12. Page 4, line 18.

Strike: "sickness"

Insert: "disability"

13. Page 4, line 25.

Following: "health or"

Strike: "sickness"

Insert: "disability"

14. Page 4, line 26.

Strike: "sickness"

Insert: "disability"

15. Page 7, line 27.

Strike: "sickness"

Insert: "disability"

And, as amended, do pass. Report adopted.

HB 321, do pass. Report adopted.

HB 333, introduced bill, be amended as follows:

1. Page 1, line 29.

Following: "coffee or"

Insert: "hot"

And, as amended, do pass. Report adopted.

HB 347, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/6/2013

HB 290, do pass. Report adopted.

HB 330, introduced bill, be amended as follows:

1. Title, line 7.

Strike: "40-4-214,"

2. Page 2, line 10.

Following: "Act.]"

Insert: "[(6) The social security number, if known, of a person subject to a decree of dissolution or a support order must be recorded in the records relating to the matter. The social security number may be included in the state case registry and vital statistics reporting form

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filed pursuant to 40-5-908(1). The recordkeeper shall keep the social security number from this source confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.]"

Renumber: subsequent subsections

3. Page 2, line 12.

Following: "Procedure."

Insert: "(Bracketed language terminates on occurrence of contingency--sec. 1, Ch. 27, L. 1999.)"

4. Page 5, line 11.

Following: "order."

Insert: "the child support enforcement division,"

5. Page 6, line 13.

Following: "order."

Insert: "the child support enforcement division,"

6. Page 7, line 21.

Following: "order."

Insert: "the child support enforcement division,"

7. Page 8, line 17.

Following: "order."

Insert: "the child support enforcement division,"

8. Page 10, following line 27.

Insert: "The information provided under subsection (6)(a) may be included on the case registry and vital statistics reporting form filed with the court pursuant to 40-5-908(1)."

9. Page 12, line 24 through line 29.

Following: "hearing."

Strike: remainder of line 24 through line 29 in their entirety

10. Page 13, line 1.

Strike: section 8 in its entirety

Renumber: subsequent sections

11. Page 17, following line 14.

Insert: "NEW SECTION. Section 12. Contingent termination. The amendments to 40-4-105(6) terminate on the occurrence of the contingency contained in section 1, Ch. 27, L. 1999."

And, as amended, do pass. Report adopted.

SB 73, be concurred in. Report adopted.

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TAXATION (Miller, Chair):

2/6/2013

HB 153, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "CREDITS"

Insert: "TO AN EMPLOYER"

2. Title, page 1, line 5.

Strike: "A VETERAN"

Insert: "NATIONAL GUARD, RESERVE, OR ACTIVE DUTY VETERANS"

3. Title, page 1, line 7.

Strike: "AND"

Insert: ", "

Following: "APPLICABILITY DATE"

Insert: ", AND A TERMINATION DATE"

4. Page 2, line 24.

Following: line 24

Insert: "NEW SECTION. **Section 6. Termination.** [This act] terminates December 31, 2018."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/5/2013

HB 34, introduced by Boland

HB 35, introduced by Miller

HB 51, introduced by Edmunds

Senate bills passed and transmitted to the House for concurrence:

2/5/2013

SB 20, introduced by Jent

SB 103, introduced by Webb

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 375, introduced by Ballance, Boulanger, Thomas, referred to Agriculture.

HB 376, introduced by Ballance, Boulanger, Thomas, referred to Fish, Wildlife and Parks.

HB 390, introduced by McNiven, Blasdel, Blyton, Glimm, Hansen, Salomon, Vance, referred to

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Education.

HB 391, introduced by G. Bennett, Ballance, Blasdel, Blyton, Brodehl, T. Brown, Ehli, Fiscus, Fitzpatrick, Glimm, Hansen, Harris, Ingraham, Jackson, Knudsen, Laszloffy, Lavin, Lenz, Lewis, O'Hara, Osmundson, Randall, Regier, Taylor, Vance, Wagoner, Walker, Washburn, Webb, Windy Boy, Zolnikov, referred to Judiciary.

HB 392, introduced by Doane, Ankney, Berry, Randall, Redfield, Rosendale, Salomon, Welborn, referred to Natural Resources.

HB 393, introduced by Hoven, referred to Taxation.

HB 394, introduced by Jacobson, B. Bennett, Dudik, Lieser, Pomnichowski, B. Smith, Whitford, Wilson, referred to Federal Relations, Energy, and Telecommunications.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 10, introduced by Coffin, B. Bennett, Boland, Court, Dudik, Eck, Lieser, MacDonald, McCarthy, McClafferty, Neill, Pomnichowski, Schreiner, B. Smith, Swanson, Whitford, Wilmer, Wilson, Woods, referred to Natural Resources.

The following Senate bill was introduced, read first time, and referred to committee:

SB 123, introduced by Van Dyk, Driscoll, Facey, Jent, Kary, F. Moore, Murphy, Peterson, Phillips, Vincent, Welborn, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 71 - Representative MacDonald moved **HB 71** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

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Nays: Berry, Brodehl, Doane, Edmunds, Fitzpatrick, Galt, Harris, Howard, Kerns, Knudsen, Laszloffy, O'Neil, Randall, Redfield, C. Smith, Vance, Washburn, Zolnikov.
Total 18

Voted Absentee: Squires, Warburton, AYE; O'Neil, NO.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 89 - Representative Lynch moved **HB 89** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 195 - Representative Ingraham moved **HB 195** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,

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Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 200 - Representative Fitzpatrick moved **HB 200** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 239 - Representative C. Smith moved **HB 239** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 43

Voted Absentee: O'Neil, Warburton, AYE; Squires, NO.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 15 - Representative Hansen moved **SB 15** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 16 - Representative Coffin moved **SB 16** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Ankney, Wilson.

Total 2

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 30 - Representative Fitzpatrick moved **SB 30** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Kerns, O'Neil, Redfield, C. Smith.

Total 4

Voted Absentee: Squires, Warburton, AYE; O'Neil, NO.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 32 - Representative Hansen moved **SB 32** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 98

Nays: Ankney, Zolnikov.

Total 2

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 87 - Representative Coffin moved **SB 87** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

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Total 0

Voted Absentee: O'Neil, Squires, Warburton, AYE.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: B. Bennett, Dudik, Schreiner.

Total 3

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 27 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe,

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Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McNiven, Mehlhoff, Miller, Moore, Noonan, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, O'Hara, Pease-Lopez, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 33

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: Ehli.

Total 1

HB 78 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Schwaderer.

Total 1

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

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HB 79 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Cuffe, Doane, Kerns, Schwaderer, C. Smith, Vance.

Total 7

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: Edmunds, Hoven, Jones.

Total 3

HB 133 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 70

Nays: J. Bennett, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hansen, Harris, Jones, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, White, Zolnikov, Mr. Speaker.

Total 27

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

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Absent or not voting: None.

Total 0

HB 214 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: McNiven.

Total 1

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 217 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None

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Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 251 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Dudik, Fitzpatrick, Glimm.

Total 3

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: C. Smith.

Total 1

HB 258 passed as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, B. Bennett, Dudik, Greef, Jones, Miller, Redfield, Regier, Schwaderer,

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Wagoner, Zolnikov.

Total 11

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

HB 296 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov.

Total 83

Nays: Cuffe, Fitzpatrick, Halvorson, Hansen, Harris, Jacobson, Lavin, Mehlhoff, Osmundson, Pomnichowski, Regier, Vance, Williams, Mr. Speaker.

Total 14

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

HJR 5 adopted as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 52

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Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 45

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

SJR 2 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None

Excused: O'Neil, Squires, Warburton.
Total 3

Absent or not voting: Neill.
Total 1

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UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 351**
Motion carried.

HB 351 (Edmunds Chief Sponsor)

B. Bennett, Coffin, Dudik, Gursky, Hill, D. Moore, Schreiner, Steenberg, and Wilson.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, February 7, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 7, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative MacDonald. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Calf Boss Ribs, Squires, and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 2/7/2013

Correctly printed: **HB 105, HB 158, HB 176, HB 177, HB 181, HB 228, HB 262, HB 272, HB 275, HB 277, HB 291, HB 320, HB 325, HB 395, HB 396, HB 397, HB 398, HB 399, HB 400, HB 401, HB 402, HB 403, HB 404, HB 405, HB 406, HB 407, HB 408, HB 409, HJR 3, HJR 7, SB 39.**

Correctly enrolled: **HB 41, HB 53, HB 73.**

Correctly engrossed: **HB 88, HB 213, HB 288, HB 315, HB 351.**

Examined by the sponsor and found to be correct: **HB 34, HB 35, HB 51, HB 56.**

Signed by the Speaker at 4:20 p.m., February 7, 2013: **HB 34, HB 35, HB 51, HB 56.**

Signed by the Chief Clerk of the House at 4:39 p.m., February 7, 2013: **HB 34, HB 35, HB 51, HB 56.**

Transmitted to the Senate: **HB 27, HB 78, HB 79, HB 133, HB 214, HB 217, HB 251, HB 258, HB 296, HJR 5, SJR 2**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 2/4/2013
SB 52, be concurred in. Report adopted.

EDUCATION (Hansen, Chair): 2/6/2013
HB 213, introduced bill, be amended as follows:

1. Page 1, line 13.

Strike: "tuition paid"

Insert: "a qualifying tuition payment made"

2. Page 1, line 17.

Following: "student."

Insert: "The dollar amount of the credit allowable under this section is limited to \$550 for each eligible student as provided in subsection (7)."

3. Page 1, line 26.

Strike: "is limited to one-half of the applicable amount"

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Insert: "may be split in proportion to each taxpayer's share of the contribution, subject to the maximum credit limitation in subsection (2)"

4. Page 1, line 28.

Following: line 27

Insert: "qualifying"

Strike: "by"

Insert: "between January 1 and"

5. Page 1, line 29.

Following: "department of"

Insert: "an estimate of"

Following: "amount of"

Insert: "qualifying"

6. Page 1, line 30.

Following: "provider"

Insert: "during the tax year"

7. Page 2, line 4.

Following: "shall make the"

Insert: "qualifying"

8. Page 2, line 7.

Following: the first "the"

Insert: "qualifying"

Following: "preapproved"

Insert: "qualifying"

9. Page 2, line 8.

Following: "limit"

Insert: "in subsection (2)"

10. Page 2, line 9.

Following: "As used in"

Insert: "[section 2] and"

11. Page 2, line 23.

Following: line 22

Insert: "(c) "Qualifying tuition payment" means a payment of tuition and fees to a qualified education provider for an eligible student."

12. Page 2, line 25.

Strike: ", as defined in [section 1],"

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13. Page 2, line 26.

Following: "amount of the"

Insert: "qualifying"

Following: "tuition"

Strike: "paid"

Insert: "payment made"

14. Page 2, line 27.

Strike: ", as defined in [section 1],"

15. Page 2, line 29.

Following: "the"

Insert: "qualifying"

16. Page 3, line 3.

Strike: "(1) [Section 1] is"

Insert: "[Sections 1 and 2] are"

17. Page 3, line 4 through line 5.

Strike: "[section 1]"

Insert: "[sections 1 and 2]"

18. Page 3, line 6 through line 7.

Strike: line 6 through line 7

And, as amended, do pass. Report adopted.

HB 288, introduced bill, be amended as follows:

1. Page 3.

Strike: "enroll" on line 2 through "and" on line 4

Following: "instruction" on line 4

Insert: "and the resident school district of each child participating in the Montana special education savings account program"

2. Page 3, line 10.

Strike: "and"

3. Page 3, line 12.

Following: "account"

Insert: "; and"

(e) ensure that the student participates in annual state assessment testing or another nationally recognized assessment and annually report the student's scores to the superintendent of public instruction. The resident school district may not include these scores in its assessment reports"

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4. Page 3, line 20.

Following: "cause;"

Insert: "and"

5. Page 3, lines 21 and 22.

Strike: "; and" on line 21 through "(3)]" on line 22

6. Page 5, lines 14 through 17.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

7. Page 6, line 5.

Strike: subsection (d) in its entirety

Renumber: subsequent subsections

8. Page 6, line 8.

Strike: subsection (g) in its entirety

Renumber: subsequent subsections

9. Page 6, line 15.

Strike: subsection (n) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 315, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Strike: "ALLOWING" on line 14 through "PROGRAMS;"

2. Title, page 1, line 17.

Strike: "19-20-101, 19-20-302,"

3. Page 7, line 29.

Strike: "legislative auditor"

Insert: "the education and local government interim committee"

4. Page 9, line 28.

Strike: "legislative auditor"

Insert: "education and local government interim committee"

5. Page 18, line 6.

Strike: "legislative auditor"

Insert: "education and local government interim committee"

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6. Page 23, lines 2 and 3.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

7. Page 31, line 17, through page 38, line 16.

Strike: section 20 through section 24 in their entirety

Renumber: subsequent sections

8. Page 48, line 4.

Following: "commission"

Insert: "for the biennium beginning July 1, 2013,"

9. Page 48, lines 8 through 10.

Strike: section 32 in its entirety

Insert: "NEW SECTION. Section 27. Nonseverability. It is the intent of the legislature that each part of [this act] is essentially dependent upon every other part, and if one part is held unconstitutional or invalid, all other parts are invalid."

10. Page 48, line 18 through line 23.

Strike: subsection (2) through subsection (4) in their entirety

Renumber: subsequent subsections

11. Page 48, line 24.

Strike: "30"

Insert: "25"

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/7/2013

HB 275, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/7/2013

HB 105, do pass. Report adopted.

HB 158, do pass. Report adopted.

HB 277, do pass. Report adopted.

HB 325, do pass. Report adopted.

HB 351, do pass. Report adopted.

TAXATION (Miller, Chair):

2/7/2013

HB 88, introduced bill, be amended as follows:

1. Title, page 1, line 7 through line 8.

Following: "PARTNERS OF"

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Strike: "LIMITED LIABILITY"

2. Page 2, line 23.

Strike: "(a) Each partner of"

Insert: "An individual who is a partner in"

3. Page 2, line 24.

Strike: ", taxes, penalties, and interest"

Insert: "and taxes"

Strike: "while a partner"

Insert: "to the extent that the partner has access to the requisite records and is jointly and severally liable for unpaid taxes, penalties, and interest pursuant to 15-1-216 upon a determination that the partner:

(a) possessed the responsibility to file statements and pay taxes on behalf of the partnership; and

(b) possessed the responsibility on behalf of the partnership for directing the filing of tax statements or the payment of other partnership obligations and exercised that responsibility in a manner resulting in the partnership's failure to file statements required by this part or pay taxes due as required by this part"

4. Page 2, line 25.

Strike: "(b)"

Insert: "(6)(a)"

5. Page 2, line 27.

Strike: "any" through "member"

Insert: "filing statements to the extent that the member has access to the requisite records and is jointly and severally liable for unpaid taxes, penalties, and interest pursuant to 15-1-216 upon a determination that the member:

(i) possessed the responsibility to file statements and pay taxes on behalf of the limited liability company; and

(ii) possessed the responsibility on behalf of the limited liability company for directing the filing of tax statements or the payment of other limited liability company obligations and exercised that responsibility in a manner resulting in the limited liability company's failure to file statements required by this part or pay taxes due as required by this part"

6. Page 2, line 28.

Strike: "(c) The"

Insert: "(b) Pursuant to subsection (6)(a), the"

7. Page 2, line 29 through line 30.

Strike: ", for" on line 29 through "member" on line 30

8. Page 3, line 1.

Strike: "(d) Each"

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Insert: "(c) Pursuant to subsection (6)(a), each"

9. Page 3, line 2 through line 3.

Strike: ", for" on line 2 through "manager" on line 3

10. Page 3, line 4.

Following: line 3

Insert: "(7) In the case of a limited liability company bankruptcy, the liability of the responsible individual remains unaffected by the discharge of penalty and interest against the limited liability company. The responsible individual remains liable for any statements and for the amount of taxes, penalties, and interest unpaid by the limited liability company."

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 272, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 2/6/2013

HB 56, introduced by Noonan

Senate bills passed and transmitted to the House for concurrence: 2/6/2013

SB 150, introduced by Driscoll

SB 164, introduced by Keane

SB 194, introduced by Blewett

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 395, introduced by Wagoner, G. Bennett, Galt, Lavin, White, referred to Agriculture.

HB 396, introduced by Lang, Galt, Hagan, Randall, Redfield, Warburton, referred to Agriculture.

HB 397, introduced by Schwaderer, B. Bennett, referred to State Administration.

HB 398, introduced by Kary, Facey, L. Jones, Price, Tutvedt, referred to Transportation.

HB 399, introduced by Ballance, Cuffe, Thomas, Vincent, Woods, referred to Human Services.

HB 400, introduced by Zolnikov, Arntzen, Augare, B. Bennett, G. Bennett, Boulanger, Buttrey, Coffin, Court, Doane, Driscoll, Edmunds, Fielder, Fiscus, Fitzpatrick, Hagan, Jent, Kary, Kerns, Lenz, MacDonald, McCarthy, Miller, O'Hara, Olson, Osmundson, Pease-Lopez, Redfield, Regier, Schreiner, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Webb, Wilmer, referred to Business and Labor.

HB 401, introduced by Welborn, Ankney, B. Bennett, Blewett, Brenden, T. Brown, Cook, Curtis, Ehli, Flynn, Glimm, Hamlett, Hollenbaugh, Jacobson, Keane, Larsen, MacDonald, Miller, Murphy,

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Peterson, Pomnichowski, Priest, Reichner, Sesso, Shaw, Vincent, Whitford, Wittich, referred to Fish, Wildlife and Parks.

HB 402, introduced by Hunter, Arntzen, Arthun, Augare, Blasdel, Boland, Brenden, D. Brown, Buttrey, Clark, Cook, Fitzpatrick, Greef, Hill, Hollenbaugh, Ingraham, Jackson, Malek, McChesney, McNally, Neill, O'Hara, Olson, Pierson, Pomnichowski, Priest, Ripley, Steenberg, Thomas, Tutvedt, Wanzenried, Welborn, Williams, Wittich, referred to Business and Labor.

HB 403, introduced by Hill, Murphy, referred to Judiciary.

HB 404, introduced by Flynn, Harris, Jacobson, Redfield, C. Smith, referred to Fish, Wildlife and Parks.

HB 405, introduced by Hagan, referred to Business and Labor.

HB 406, introduced by Knudsen, Doane, Halvorson, Lang, Randall, C. Smith, referred to Federal Relations, Energy, and Telecommunications.

HB 407, introduced by Knudsen, Lang, C. Smith, referred to Fish, Wildlife and Parks.

HB 408, introduced by Miller, Ankney, Blasdel, Fitzpatrick, Hagan, D. Jones, Kary, Lang, Lenz, Rosendale, C. Smith, Zolnikov, referred to Taxation.

HB 409, introduced by Wilson, referred to Local Government.

The following Senate bill was introduced, read first time, and referred to committee:

SB 90, introduced by Olson (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hertz in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 176 - Representative Halvorson moved **HB 176** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Reichner, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

Total 0

Absent or not voting: McNally.

Total 1

HB 177 - Representative Halvorson moved **HB 177** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 181 - Representative Ballance moved **HB 181** do pass. Motion carried as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

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Total 54

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 228 - Representative Randall moved **HB 228** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 262 - Representative Hill moved **HB 262** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie,

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Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: J. Bennett, Doane, Kerns, Regier.

Total 4

Voted Absentee: Boss Ribs, Squires, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 291 - Representative Kerns moved **HB 291** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Ankney.

Total 1

Voted Absentee: Boss Ribs, Squires, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

STATE INTERNET/BBS COPY

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HB 320 - Representative B. Bennett moved **HB 320** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 3 - Representative O'Neil moved **HJR 3** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 53

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 46

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

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Total 0

Absent or not voting: Harris.

Total 1

HJR 7 - Representative Connell moved **HJR 7** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Ingraham, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Flynn, Gibson, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Warburton, Aye; Boss Ribs, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 39 - Representative Williams moved **SB 39** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

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Total 0

Voted Absentee: Boss Ribs, Squires, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hertz moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: B. Bennett, Court.

Total 2

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.

Total 3

Absent or not voting: Boland, B. Smith.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 71 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Brockie, Clark,

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Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 79

Nays: Berry, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Hansen, Harris, Howard, Kerns, Knudsen, Randall, Redfield, C. Smith, Vance, Mr. Speaker.
Total 18

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

HB 89 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: Wilmer.
Total 1

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HB 195 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

HB 200 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: O'Neil.
Total 1

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.

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Total 3

Absent or not voting: Clark.

Total 1

HB 239 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.

Total 3

Absent or not voting: None.

Total 0

SB 15 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

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Total 0

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

SB 16 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

SB 30 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance,

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Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov,
Mr. Speaker.
Total 93

Nays: Kerns, O'Neil, Redfield, C. Smith.
Total 4

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

SB 32 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie,
Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,
Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,
Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,
Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald,
McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,
O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall,
Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith,
Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams,
Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Kerns.
Total 1

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

SB 87 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie,
Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,
Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,

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Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Squires, Warburton.
Total 3

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 176** be moved from the Committee of the Whole to the Appropriations committee.
Majority Leader Vance moved **HB 177** be moved from the Committee of the Whole to the Appropriations committee.
Majority Leader Vance moved **HB 228** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, February 8, 2013.
Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 8, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hill. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Greef, Peppers, Squires, and Warburton, Whitford, excused. Quorum present.

BILLS (O'Hara, Chair):

2/8/2013

Correctly printed: **HB 224, HB 225, HB 264, HB 305, HB 323, HB 328, HB 333, HB 346, HB 347, HB 356, HB 410, HB 411, HB 414, HB 415, HB 416, HB 418, HB 419, HB 420, HB 421, HB 422, HB 424, HB 425, HB 426, HB 428, SB 52, SB 60, SB 72.**

Correctly engrossed: **HB 222, HB 232, HB 280, HB 324, HB 337, SB 121.**

Examined by the sponsor and found to be correct: **HB 41, HB 53, HB 73.**

Transmitted to the Senate: **HB 71, HB 89, HB 195, HB 200, HB 239, SB 15, SB 16, SB 30, SB 32, SB 87.**

Signed by the President at 11:15 a.m., February 8, 2013: **HB 34, HB 35, HB 51, HB 56.**

Delivered to the Governor for approval at 12:45 p.m., February 8, 2013: **HB 34, HB 35, HB 51, HB 56.**

REPORTS OF STANDING COMMITTEES

TRANSPORTATION (Lavin, Chair):

2/6/2013

HB 305, do pass. Report adopted.

AGRICULTURE (Randall, Chair):

2/7/2013

HB 323, do pass. Report adopted.

HB 337, introduced bill, be amended as follows:

1. Page 1, line 24 through line 25.

Strike: "at least once" on line 24 through "also be published" on line 25

Following: "website and" on line 25

Strike: "posted in"

Insert: "provided to"

Following: "market"

Strike: " "

Insert: "and"

Following: "office"

Strike: " "

Insert: " "

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2. Page 1, line 26.

Strike: "conservation district," through "in the state."

3. Page 1, line 27.

Following: "electronic means"

Insert: "to each conservation district, veterinarian's office, and county extension office in the state and"

And, as amended, do pass. Report adopted.

HB 346, do pass. Report adopted.

HB 356, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/7/2013

HB 324, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "87-2-603"

Insert: "AND 87-6-404"

2. Page 1, line 12.

Strike: "and (3)"

Insert: "through (4)"

Following: "who"

Insert: "is a resident of the United States and"

3. Page 1, line 16.

Following: "times"

Insert: "and places"

4. Page 1, line 16 through line 17.

Strike: "and at the places" on line 16 through "license" on line 17

5. Page 1, line 20.

Following: "resident"

Strike: "and"

Insert: ":(a)"

6. Page 1, line 21.

Following: "subsection (1)"

Insert: ";

(b) who is issued a Class C-2 license under subsection (1) may trap only those fur-bearing

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animals allowed to be trapped or hunt only those fur-bearing animals allowed to be hunted by nonresidents in the person's state of residence; and

(c) may not hunt bobcat with the aid of a dog or dogs.

(4) The commission may:

(a) limit the number of Class C-2 licenses to be issued; and (b) set quotas and methods for nonresident taking of fur-bearing animals"

7. Page 1, line 22.

Insert: "Section 2. Section 87-6-404, MCA, is amended to read:

"87-6-404. Unlawful use of dog while hunting. (1) Except as provided in subsections (3) through (6), a person may not:

(a) chase any game animal or fur-bearing animal with a dog; or

(b) purposely, knowingly, or negligently permit a dog to chase, stalk, pursue, attack, or kill a hooved game animal. If the dog is not under the control of an adult at the time of the violation, the owner of the dog is personally responsible. A defense that the dog was allowed to run at large by another person is not allowable unless it is shown that at the time of the violation, the dog was running at large without the consent of the owner and that the owner took reasonable precautions to prevent the dog from running at large.

(2) Except as provided in subsection (3)(d), a peace officer, game warden, or other person authorized to enforce the Montana fish and game laws who witnesses a dog chasing, stalking, pursuing, attacking, or killing a hooved game animal may destroy that dog on public land or on private land at the request of the landowner without criminal or civil liability.

(3) A person may:

(a) take game birds during the appropriate open season with the aid of a dog;

(b) hunt mountain lions during the winter open season, as established by the commission, with the aid of a dog or dogs;

(c) except as provided in 87-2-603(3)(c), hunt bobcats during the trapping season, as established by the commission, with the aid of a dog or dogs; and

(d) use trained or controlled dogs to chase or herd away game animals or fur-bearing animals to protect humans, lawns, gardens, livestock, or agricultural products, including growing crops and stored hay and grain. The dog may not be destroyed pursuant to subsection (2).

(4) A resident who possesses a Class D-3 resident hound training license may pursue mountain lions and bobcats with a dog or dogs during a training season from December 2 of each year to April 14 of the following year.

(5) (a) A person with a valid hunting license issued pursuant to Title 87, chapter 2, may use a dog to track a wounded game animal during an appropriate open season. Any person using a dog in this manner:

(i) shall maintain physical control of the dog at all times by means of a maximum 50-foot lead attached to the dog's collar or harness;

(ii) during the general season, whether handling or accompanying the dog, shall wear hunter orange material pursuant to 87-6-414;

(iii) may carry any weapon allowed by law;

(iv) may dispose of the wounded game animal using any weapon allowed by the valid hunting license; and

(v) shall immediately tag an animal that has been reduced to possession in accordance

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with 87-6-411.

(b) Dog handlers tracking a wounded game animal with a dog are exempt from licensing requirements under Title 87, chapter 2, as long as they are accompanied by the licensed hunter who wounded the game animal.

(6) Any person or association organized for the protection of game may run field trials at any time upon obtaining written permission from the director.

(7) A person convicted of a violation of this section shall be fined not less than \$50 or more than \$1,000 or be imprisoned in the county detention center for not more than 6 months, or both. In addition, the person, upon conviction or forfeiture of bond or bail, may be subject to forfeiture of any current hunting, fishing, or trapping license issued by this state and the privilege to hunt, fish, or trap in this state or to use state lands, as defined in 77-1-101, for recreational purposes for a period of time set by the court.

(8) A violation of this section may also result in an order to pay restitution pursuant to 87-6-905 through 87-6-907."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 328, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):
HB 222, introduced bill, be amended as follows:

2/7/2013

1. Title, page 1, line 6 through line 7.

Strike: "RESTRICTING" on line 6 through "ELECTION;" on line 7

2. Page 2, line 27.

Strike: "A candidate shall certify on"

Insert: "On"

Following: "declaration"

Insert: ", "

Following: "state"

Insert: ", "

Strike: "that"

Insert: "the candidate shall"

3. Page 2, line 28.

Following: "(a)"

Insert: "affirm that"

Following: ";"

Insert: "and"

4. Page 2, line 29.

Following: "(b)"

Insert: "acknowledge the candidate understands that"

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Following: "office"

Insert: "pursuant to an investigation under 13-37-111"

5. Page 2, line 30.

Strike: "; and"

6. Page 3, line 1.

Strike: "(c)" through "ineligible"

7. Page 3, line 5 through line 6.

Strike: "and" on line 5 through "13-37-126" on line 6

8. Page 3, line 17.

Following: "dies"

Insert: "or is determined to be ineligible pursuant to an investigation under 13-37-111"

9. Page 5, line 6.

Strike: "subsection (1)(a)"

Insert: "this section"

10. Page 5, line 22 through line 23.

Strike: subsection (b) in its entirety

Renumber: subsequent subsection

11. Page 6, line 3.

Strike: "(2)(c)(ii)(A)"

Insert: "(2)(b)(ii)(A)"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/7/2013

HB 41, introduced by Squires

HB 53, introduced by Ingraham

HB 73, introduced by Flynn

Senate bills passed and transmitted to the House for concurrence:

2/7/2013

SB 88, introduced by Dick Barrett

SB 142, introduced by Wanzenried

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 410, introduced by Washburn, Ballance, G. Bennett, Blasdel, Blyton, Connell, Cook, Doane, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Halvorson, Hertz, Hollandsworth, Ingraham, Laszloffy, Lavin, D. Moore, O'Hara, Redfield, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, White, referred to State Administration.

HB 411, introduced by Harris, Osmundson, Peterson, referred to State Administration.

HB 414, introduced by Hoven, referred to Transportation.

HB 415, introduced by Hagan, referred to Business and Labor.

HB 416, introduced by Reichner, MacDonald, referred to Human Services.

HB 418, introduced by Harris, referred to Fish, Wildlife and Parks.

HB 419, introduced by Edmunds, referred to State Administration.

HB 420, introduced by Salomon, Ankney, Blyton, Hertz, L. Jones, Keane, McClafferty, Murphy, Williams, referred to Agriculture.

HB 421, introduced by Blyton, Clark, Galt, Greef, Hagan, Hollandsworth, McChesney, Rosendale, Schwaderer, Steenberg, Wagoner, Washburn, Webb, referred to Local Government.

HB 422, introduced by Blyton, Kary, Lang, Lenz, D. Moore, Rosendale, referred to Local Government.

HB 424, introduced by Pomnichowski, Clark, referred to Business and Labor.

HB 425, introduced by Pomnichowski, Clark, referred to Business and Labor.

HB 426, introduced by Kary, Fiscus, referred to Local Government.

HB 428, introduced by Kary, Doane, D. Moore, O'Hara, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Coffin in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 232 - Representative Hunter moved **HB 232**, second reading copy, be amended as follows:

1. Title, line 4.

Strike: "THE HIGHEST"

Insert: "A HIGHER"

2. Page 1, line 20.

Strike: "proof beyond a reasonable doubt"

Insert: "clear and convincing evidence"

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Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 232 - Representative Knudsen moved **HB 232**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 224 - Representative C. Smith moved **HB 224** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Greef, Warburton, Aye; Peppers, Squires, Whitford, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 225 - Representative C. Smith moved **HB 225** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 39

Voted Absentee: Greef, Warburton, Aye; Peppers, Squires, Whitford, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 264 - Representative Ingraham moved **HB 264** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 280 - Representative C. Smith moved **HB 280**, second reading copy, be amended as follows:

1. Page 3, line 19.

Strike: ", group, or blanket"

2. Page 3, line 24.

Following: "means"

Strike: "a"

Insert: "an individual"

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Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Boland, Dudik, Eck, Hollenbaugh, Price.
Total 5

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 280 - Representative C. Smith moved **HB 280**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 53

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 46

Voted Absentee: Warburton, Aye; Greef, Peppers, Squires, Whitford, No.

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Excused: None.

Total 0

Absent or not voting: Wagoner.

Total 1

HB 321 - Representative Vance moved consideration of **HB 321** be passed for the day. Motion Carried.

HB 333 - Representative Price moved **HB 333** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, J. Bennett, Gibson, Glimm, Lavin, Lenz, Schwaderer, Wagoner, Zolnikov.

Total 9

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 347 - Representative Fitzpatrick moved **HB 347** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 52 - Representative Regier moved **SB 52** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 60 - Representative Pierson moved **SB 60** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 72 - Representative Salomon moved **SB 72** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 121 - Representative Fitzpatrick moved **SB 121** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Greef, Peppers, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Coffin moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Cook.
Total 1

Voted Absentee: None.

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Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: Jacobson.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 181 passed as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Washburn, White, Mr. Speaker.

Total 49

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Wagoner, Welborn, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 44

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: Ankney, Hoven.

Total 2

HB 262 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner,

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Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 87

Nays: J. Bennett, Doane, Howard, Kerns, Regier, Mr. Speaker.
Total 6

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.
Total 5

Absent or not voting: Fiscus, Hoven.
Total 2

HB 291 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: None.
Total 0

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.
Total 5

Absent or not voting: None.
Total 0

HB 320 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom,

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Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: None.

Total 0

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: None.

Total 0

HJR 3 adopted as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 49

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Welborn, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: None.

Total 0

HJR 7 adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Ingraham, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gibson, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Williams, Wilmer, Wilson, Woods.

Total 43

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: None.

Total 0

SB 39 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: None.

Total 0

Voted Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, Whitford.

Total 5

Absent or not voting: None.

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Total 0

MOTIONS

Majority Leader Vance moved **HB 416** be moved from the Human Services committee to the Business and Labor committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 404**
Motion carried.

HB 404 (Flynn, Chief Sponsor)
Peterson.

SPECIAL ORDERS OF THE DAY

Representative Pomnichowski thanked the pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, February 9, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
TWENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 9, 2013

House Chambers
State Capitol

House convened at 8:00 p.m. Mr. Speaker presiding. Invocation by Representative McClafferty. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Greef, Howard, Peppers, Squires, Warburton, White, Whitford, and Woods, excused. Quorum present.

BILLS (O'Hara, Chair): 2/9/2013

Correctly printed: **HB 7, HB 87, HB 100, HB 146, HB 147, HB 178, HB 247, HB 256, HB 278, HB 300, HB 318, HB 330, HB 412, HB 413, HB 417, HB 427, HB 429, HB 430, HB 431, HB 432, HB 433, HB 434, HB 435, HB 436, HB 437, HB 440, HJR 9, SB 111.**

Correctly engrossed: **HB 12, HB 233, HB 283.**

Correctly enrolled: **HB 17, HB 137, SB 39.**

Transmitted to the Senate: **HB 181, HB 262, HB 291, HB 320, HJR 3, HJR 7, SB 39.**

Signed by the Speaker at 11:10 a.m., February 9, 2013: **HB 53, HB 73.**

Signed by the Chief Clerk of the House at 11:30 a.m., February 9, 2013: **HB 53, HB 73.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 2/8/2013

HB 7, do pass. Report adopted.

HB 12, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "PAYMENTS;"

Insert: "RESTRICTING USE OF FUNDS FOR PROVIDER PAYMENTS;"

2. Page 1, line 25.

Following: "medicaid"

Insert: "and other services"

3. Page 2, line 5.

Following: line 5

Insert: "(2) There is appropriated up to \$12,700,000 from the federal special revenue account to the department of public health and human services for fiscal year 2013 to be used as matching funds for provider rate increases."

Renumber: subsequent subsections

4. Page 2, line 6 through 10.

Strike: "make" on line 6 through "caseload" on line 10

Insert: "fund a one-time provider rate increase in fiscal year 2013 up to the maximum amount allowed by the appropriation"

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5. Page 2, line 15.

Following: line 15

Insert: "**NEW SECTION. Section 3. Restricted use of funds.** The appropriations in [section 1] may only be used to fund the provider rate increases identified in [section 1]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 100, do pass. Report adopted.

HB 146, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/8/2013

HB 283, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING A TERMINATION DATE"

2. Page 1, line 10.

Following: "that"

Strike: "up to three"

Insert: "one"

Strike: "statements"

Insert: "statement"

3. Page 2, following line 10.

Insert: "**NEW SECTION. Section 4. Termination.** [This act] terminates December 31, 2016."

And, as amended, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/8/2013

HB 318, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 2/8/2013

HJR 9, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/8/2013

HB 233, introduced bill, be amended as follows:

1. Title, lines 8 through line 9.

Strike: ", COUNTY ATTORNEY, OR CITY ATTORNEY"

2. Title, line 10.

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Following: "44-4-1205,"

Strike: "AND"

Following: "44-4-1206,"

Insert: "46-18-201, 61-8-422, AND 61-8-733,"

3. Page 1, line 15.

Following: "outcomes"

Insert: "and public safety"

4. Page 2.

Following: line 12

Insert: "(b) "Dangerous drug" has the meaning provided in 50-32-101."

Renumber: subsequent subsections

5. Page 2, line 15.

Strike: "other"

Insert: "another"

Following: "agency"

Insert: "designated by the county sheriff's office that is"

6. Page 2, line 18.

Following: first use of "or"

Insert: "an"

Following: "agency"

Insert: "as defined in 2-15-102,"

7. Page 2, line 20.

Strike: ", pleaded guilty, or been"

Insert: "with or"

8. Page 2, line 22.

Following: "limited to"

Insert: "a second or subsequent offense of"

9. Page 2, line 30.

Strike: ", as defined in 50-32-101,"

10. Page 3, line 4 through line 5.

Strike: "within" on line 4 through "days" on line 5

Insert: "as soon as practical following a noncompliant test event"

11. Page 3, line 12.

Strike: "economic"

12. Page 4, line 22.

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Strike: "and other entities"

13. Page 4, line 23 through line 24.

Strike: subsection (1) in its entirety

Renumber: subsequent subsections

14. Page 4, line 25.

Strike: "entity participating in"

Insert: "court or agency utilizing"

Following: "sanctions"

Insert: "that it"

15. Page 4, line 27.

Following: "convicted of"

Insert: "the offense of aggravated driving under the influence in violation of 61-8-465,"

16. Page 4, line 28.

Following: "61-8-401"

Insert: ", "

Following: the first "or"

Insert: "a"

17. Page 5, line 4.

Following: "issued"

Insert: ", notwithstanding the requirements of 61-5-208 that an individual is required to complete a certain portion of a suspension period before a probationary license may be issued"

18. Page 5, line 8.

Following: "charged with"

Insert: "a violation of 61-8-465,"

19. Page 5, line 9.

Following: "61-8-406"

Insert: ", "

Strike: "charged with"

Following: "any"

Insert: "other"

20. Page 5, line 13.

Following: "convicted of"

Insert: "a violation of 61-8-465,"

Following: "61-8-406"

Insert: ", "

Following: "or"

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Strike: "convicted of"

Following: "any"

Insert: "other"

21. Page 5, line 17.

Following: "parole"

Insert: "for a violation of 61-8-465,"

Following: "61-8-406"

Insert: ", "

Following: "any"

Insert: "other"

22. Page 5.

Following: line 27

Insert: "**Section 7.** Section 46-18-201, MCA, is amended to read:

"46-18-201. Sentences that may be imposed. (1) (a) Whenever a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty or nolo contendere, a sentencing judge may defer imposition of sentence, except as otherwise specifically provided by statute, for a period:

(i) not exceeding 1 year for a misdemeanor or for a period not exceeding 3 years for a felony; or

(ii) not exceeding 2 years for a misdemeanor or for a period not exceeding 6 years for a felony if a financial obligation is imposed as a condition of sentence for either the misdemeanor or the felony, regardless of whether any other conditions are imposed.

(b) Except as provided in 46-18-222, imposition of sentence in a felony case may not be deferred in the case of an offender who has been convicted of a felony on a prior occasion, whether or not the sentence was imposed, imposition of the sentence was deferred, or execution of the sentence was suspended.

(2) Whenever a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty or nolo contendere, a sentencing judge may suspend execution of sentence, except as otherwise specifically provided by statute, for a period up to the maximum sentence allowed or for a period of 6 months, whichever is greater, for each particular offense.

(3) (a) Whenever a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty or nolo contendere, a sentencing judge may impose a sentence that may include:

(i) a fine as provided by law for the offense;

(ii) payment of costs, as provided in 46-18-232, or payment of costs of assigned counsel as provided in 46-8-113;

(iii) a term of incarceration, as provided in Title 45 for the offense, at a county detention center or at a state prison to be designated by the department of corrections;

(iv) commitment of:

(A) an offender not referred to in subsection (3)(a)(iv)(B) to the department of corrections, with a recommendation for placement in an appropriate correctional facility or program; however, all but the first 5 years of the commitment to the department of corrections must be suspended, except as provided in 45-5-503(4), 45-5-507(5), 45-5-601(3), 45-5-602(3), 45-5-603(2)(c), and 45-5-625(4); or

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(B) a youth transferred to district court under 41-5-206 and found guilty in the district court of an offense enumerated in 41-5-206 to the department of corrections for a period determined by the court for placement in an appropriate correctional facility or program;

(v) with the approval of the facility or program, placement of the offender in a community corrections facility or program as provided in 53-30-321;

(vi) with the approval of the prerelease center or prerelease program and confirmation by the department of corrections that space is available, placement of the offender in a prerelease center or prerelease program for a period not to exceed 1 year;

(vii) chemical treatment of sexual offenders, as provided in 45-5-512, if applicable, that is paid for by and for a period of time determined by the department of corrections, but not exceeding the period of state supervision of the person; or

(viii) any combination of subsections (2) and (3)(a)(i) through (3)(a)(vii).

(b) A court may permit a part or all of a fine to be satisfied by a donation of food to a food bank program.

(4) When deferring imposition of sentence or suspending all or a portion of execution of sentence, the sentencing judge may impose upon the offender any reasonable restrictions or conditions during the period of the deferred imposition or suspension of sentence. Reasonable restrictions or conditions imposed under subsection (1)(a) or (2) may include but are not limited to:

(a) limited release during employment hours as provided in 46-18-701;

(b) incarceration in a detention center not exceeding 180 days;

(c) conditions for probation;

(d) payment of the costs of confinement;

(e) payment of a fine as provided in 46-18-231;

(f) payment of costs as provided in 46-18-232 and 46-18-233;

(g) payment of costs of assigned counsel as provided in 46-8-113;

(h) with the approval of the facility or program, an order that the offender be placed in a community corrections facility or program as provided in 53-30-321;

(i) with the approval of the prerelease center or prerelease program and confirmation by the department of corrections that space is available, an order that the offender be placed in a prerelease center or prerelease program for a period not to exceed 1 year;

(j) community service;

(k) home arrest as provided in Title 46, chapter 18, part 10;

(l) payment of expenses for use of a judge pro tempore or special master as provided in 3-5-116;

(m) with the approval of the department of corrections and with a signed statement from an offender that the offender's participation in the boot camp incarceration program is voluntary, an order that the offender complete the boot camp incarceration program established pursuant to 53-30-403;

(n) participation in a day reporting program provided for in 53-1-203;

(o) participation in the sobriety program provided for in Title 44, chapter 4, part 12, for a violation of 61-8-465, a second or subsequent violation of 61-8-401 or 61-8-406, or any other crime in which the abuse of alcohol or dangerous drugs was a contributing factor in the commission of the crime;

(p) any other reasonable restrictions or conditions considered necessary for rehabilitation or for the protection of the victim or society; or

(q) any combination of the restrictions or conditions listed in subsections (4)(a) through

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(4)(p).

(5) In addition to any other penalties imposed, if a person has been found guilty of an offense upon a verdict of guilty or a plea of guilty or nolo contendere and the sentencing judge finds that a victim, as defined in 46-18-243, has sustained a pecuniary loss, the sentencing judge shall, as part of the sentence, require payment of full restitution to the victim, as provided in 46-18-241 through 46-18-249, whether or not any part of the sentence is deferred or suspended.

(6) In addition to any of the penalties, restrictions, or conditions imposed pursuant to subsections (1) through (5), the sentencing judge may include the suspension of the license or driving privilege of the person to be imposed upon the failure to comply with any penalty, restriction, or condition of the sentence. A suspension of the license or driving privilege of the person must be accomplished as provided in 61-5-214 through 61-5-217.

(7) In imposing a sentence on an offender convicted of a sexual or violent offense, as defined in 46-23-502, the sentencing judge may not waive the registration requirement provided in Title 46, chapter 23, part 5.

(8) If a felony sentence includes probation, the department of corrections shall supervise the offender unless the court specifies otherwise.

(9) As used in this section, "dangerous drug" has the meaning provided in 50-32-101."

Insert: "Section 8. Section 61-8-442, MCA, is amended to read:

"61-8-442. Driving under influence of alcohol or drugs -- driving with excessive alcohol concentration -- ignition interlock device -- 24/7 sobriety program -- forfeiture of vehicle. (1) In addition to the punishments provided in 61-8-714 and 61-8-722, regardless of disposition and if a probationary license is recommended by the court, the court may, for a person convicted of a first offense under 61-8-401 or 61-8-406,;

(a) restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device during the probationary period and require the person to pay the reasonable cost of leasing, installing, and maintaining the device; or

(b) require the person to participate in the 24/7 sobriety program provided for in 44-4-1203 and pay the fees associated with the program or require the person to participate in a court-approved alcohol or drug detection testing program and pay the fees associated with the testing program.

(2) If a person is convicted of a second or subsequent violation of 61-8-401 or 61-8-406, in addition to the punishments provided in 61-8-714 and 61-8-722, regardless of disposition, the court shall:

(a) if recommending that a probationary license be issued to the person, restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device during the probationary period and require the person to pay the reasonable cost of leasing, installing, and maintaining the device; or

(b) require the person to participate in the 24/7 sobriety program provided for in 44-4-1203 and pay the fees associated with the program or require the person to participate in a court-approved alcohol or drug detection testing program and pay the fees associated with the testing program; or

~~(b)~~(c) order that each motor vehicle owned by the person at the time of the offense be seized and subjected to the forfeiture procedure provided under 61-8-421.

(3) Any restriction or requirement imposed under this section must be included in a report

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of the conviction made by the court to the department in accordance with 61-11-101 and placed upon the person's driving record maintained by the department in accordance with 61-11-102.

(4) The duration of a restriction imposed under this section must be monitored by the department."

Insert: "Section 9. Section 61-8-733, MCA, is amended to read:

"61-8-733. Driving under influence of alcohol or drugs -- driving with excessive alcohol concentration -- ignition interlock device -- 24/7 sobriety program -- forfeiture of vehicle. (1) On the second or subsequent conviction of a violation of 61-8-401 or 61-8-406 or a second or subsequent conviction under 61-5-212 when the reason for the suspension or revocation was that the person was convicted of a violation of 61-8-401 or 61-8-406 or a similar offense under the laws of any other state or the suspension was under 61-8-402 or 61-8-409 or a similar law of any other state for refusal to take a test for alcohol or drugs requested by a peace officer who believed that the person might be driving under the influence, the court, in addition to the punishments provided in 61-5-212, 61-8-714, and 61-8-722 and any other penalty imposed by law, shall:

(a) if recommending that a probationary license be issued to the person, restrict the person to driving only a motor vehicle equipped with a functioning ignition interlock device during the probationary period and require the person to pay the reasonable cost of leasing, installing, and maintaining the device;

(b) require the person to participate in the 24/7 sobriety program provided for in 44-4-1203 and pay the fees associated with the program or require the person to participate in a court-approved alcohol or drug detection testing program and pay the fees associated with the testing program; or

~~(b)~~(c) order that each motor vehicle owned by the person at the time of the offense be seized and subjected to the procedure provided under 61-8-421.

(2) A vehicle used by a person as a common carrier in the transaction of business as a common carrier is not subject to forfeiture unless it appears that the owner or other person in charge of the vehicle consented to or was privy to the violation. A vehicle may not be forfeited under this section for any act or omission established by the owner to have been committed or omitted by a person other than the owner while the vehicle was unlawfully in the possession of a person other than the owner in violation of the criminal laws of this state or the United States.

(3) Forfeiture of a vehicle encumbered by a security interest is subject to the secured person's interest if the person did not know and could not have reasonably known of the unlawful possession, use, or other act on which the forfeiture is sought."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 300, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/8/2013

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SB 11, introduced by Caferro
SB 105, introduced by T. Brown
SB 144, introduced by Sesso

MESSAGES FROM THE GOVERNOR

February 8, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 139** sponsored by Representative Lavin on February 8, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 412, introduced by Flynn, Galt, Harris, MacDonald, F. Moore, Wagoner, referred to Federal Relations, Energy, and Telecommunications.

HB 413, introduced by Flynn, Harris, F. Moore, Wagoner, referred to Federal Relations, Energy, and Telecommunications.

HB 417, introduced by Flynn, Galt, Harris, MacDonald, F. Moore, Randall, Rosendale, Wagoner, referred to Federal Relations, Energy, and Telecommunications.

HB 427, introduced by Ankney, Hagan, Olson, referred to Transportation.

HB 429, introduced by Wilmer, Lieser, Phillips, Pomnichowski, Woods, referred to Taxation.

HB 430, introduced by Schreiner, Swanson, referred to State Administration.

HB 431, introduced by Knudsen, Doane, Halvorson, Lang, Randall, Rosendale, referred to Federal Relations, Energy, and Telecommunications.

HB 432, introduced by Dudik, Hagan, referred to Judiciary.

HB 433, introduced by O'Hara, Bangerter, Boland, Boulanger, Curtis, Edmunds, Fitzpatrick, Gursky, Hill, Hollenbaugh, Jacobson, Larsen, Lavin, Mehlhoff, Pierson, Pomnichowski, Shaw, Thomas, Tropila, Welborn, Zolnikov, referred to Judiciary.

HB 434, introduced by Woods, referred to Judiciary.

HB 435, introduced by McChesney, referred to Natural Resources.

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HB 436, introduced by Reichner, Blasdel, Ingraham, L. Jones, Kerns, D. Moore, Sales, Schwaderer, Sonju, Zolnikov, referred to State Administration.

HB 437, introduced by McNiven, T. Brown, Kary, D. Moore, referred to Local Government.

HB 440, introduced by Kary, Ankney, Doane, Galt, Harris, Kerns, Knudsen, Lang, Miller, Randall, Redfield, Shaw, referred to Fish, Wildlife and Parks.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative MacDonald in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 87 - Representative Welborn moved **HB 87** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: Brodehl, Edmunds, Fitzpatrick, Greef, Harris, Jones, Kerns, Knudsen, Lavin, Miller, O'Neil, Osmundson, Randall, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.

Total 20

Voting Absentee: Howard, Peppers, Squires, Whitford, Woods, Aye; Greef, Warburton, White, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 147 - Representative Zolnikov moved consideration of **HB 147** be passed for the day. Motion Failed.

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HB 147 - Representative Redfield moved **HB 147** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Coffin, Connell, Cook, Cuffe, Doane, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNally, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voting Absentee: Greef, Howard, Warburton, White, Aye; Peppers, Squires, Whitford, Woods, No.

Excused: None.

Total 0

Absent or not voting: Clark.

Total 1

HB 178 - Representative Price moved **HB 178** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hollandsworth, Howard, Jones, Kary, Kerns, Knudsen, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 38

Voting Absentee: Peppers, Squires, Whitford, Woods, Aye; Greef, Howard, Warburton, White,

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No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 244 - Representative Connell moved **HB 244** do pass. Motion **failed** as follows:

Yeas: Ankney, Bangerter, Berry, Clark, Connell, Cook, Doane, Fitzpatrick, Galt, Hagan, Halvorson, Hollandsworth, Hoven, Howard, Laszloffy, Lavin, McNiven, Mehlhoff, Moore, Redfield, Regier, Reichner, Salomon, Shaw, Washburn, Welborn, Mr. Speaker.

Total 27

Nays: Ballance, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 73

Voting Absentee: Howard, Aye; Greef, Peppers, Squires, Warburton, White, Whitford, Woods, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 247 - Representative Lavin moved **HB 247** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

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White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Pomnichowski.

Total 1

Voting Absentee: Greef, Howard, Peppers, Squires, Warburton, White, Whitford, Woods, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 256 - Representative Hoven moved **HB 256** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Court, Cuffe, Fitzpatrick, Miller, Schwaderer, Zolnikov.

Total 6

Voting Absentee: Greef, Howard, Peppers, Squires, Warburton, White, Whitford, Woods, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 278 - Representative Washburn moved **HB 278** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson,

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Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: B. Bennett, Dudik, Pomnichowski, Wilson.

Total 4

Voting Absentee: Greef, Peppers, Squires, Warburton, White, Whitford, Woods, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 290 - Representative O'Neil moved **HB 290** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Ingraham, Kerns, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 38

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Voting Absentee: Greef, Warburton, White, Aye; Peppers, Squires, Whitford, Woods, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 330 - Representative Fitzpatrick moved **HB 330** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voting Absentee: Greef, Peppers, Squires, Warburton, White, Whitford, Woods, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 111 - Representative Randall moved **SB 111** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Woods, Mr. Speaker.
Total 74

Nays: B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Fiscus, Greef, Jones, Kary, Kerns, Laszloffy, MacDonald, Mehlhoff, Miller, Pease-Lopez, Pomnichowski, Price, Schreiner, Schwaderer, C. Smith, Vance, Warburton, White, Wilson, Zolnikov.
Total 26

Voting Absentee: Peppers, Squires, Whitford, Woods, Aye; Greef, Warburton, White, No.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair MacDonald moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 224 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill,

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Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Williams, Wilmer, Wilson.

Total 33

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

HB 225 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Williams, Wilmer, Wilson.

Total 35

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

HB 232 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

Voting Absentee: None.

Total 0

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

HB 264 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 92

Nays: McNiven.

Total 1

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

HB 280 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli,

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Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Zolnikov, Mr. Speaker.
Total 50

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Welborn, Williams, Wilmer, Wilson.
Total 43

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.
Total 7

Absent or not voting: None.
Total 0

HB 333 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, Williams, Wilmer, Wilson, Mr. Speaker.
Total 82

Nays: Ballance, J. Bennett, Gibson, Glimm, Hertz, Lenz, Schwaderer, Wagoner, Zolnikov.
Total 9

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.
Total 7

Absent or not voting: Hoven, Shaw.
Total 2

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HB 347 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

SB 52 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

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Total 7

Absent or not voting: None.

Total 0

SB 60 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 92

Nays: None.

Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: Hollenbaugh.

Total 1

SB 72 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

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Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

SB 121 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 93

Nays: None.

Total 0

Voting Absentee: None.

Excused: Greef, Peppers, Squires, Warburton, White, Whitford, Woods.

Total 7

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 87** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 178** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 256** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 330** be moved from the Committee of the Whole to the Appropriations committee.

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Representative Halvorson moved to change his vote on **SB 60** from Not Voting to Yes. Without objection, so ordered.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsors to **HB 317** Motion carried.

HB 317 (Hunter Chief Sponsor)

B. Bennett, Blasdel, Blyton, Brockie, Coffin, Halvorson, Hansen, Hertz, Hollenbaugh, Knudsen, Laszloffy, MacDonald, McClafferty, McNiven, D. Moore, Price, Salomon, Schreiner, Schwaderer, Vance, Washburn, and Wilmer.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Monday, February 11, 2013. Motion carried.

House adjourned at 9:55 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTIETH LEGISLATIVE DAY**

Helena, Montana
February 11, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Glimm. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Squires and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/11/2013

Correctly printed: **HB 105, HB 158, HB 171, HB 213, HB 241, HB 272, HB 275, HB 288, HB 317, HB 438, HB 441, HB 442, SB 51, SB 65.**

Correctly engrossed: **HB 6, HB 8, HB 11, HB 84, HB 315, HB 363.**

Correctly enrolled: **HB 107.**

Examined by the sponsor and found to be correct: **HB 137.**

Transmitted to the Senate: **HB 224, HB 225, HB 232, HB 264, HB 280, HB 333, HB 347, SB 52, SB 60, SB 72, SB 121.**

Signed by the President at 3:50 p.m., February 11, 2013: **HB 53, HB 73.**

Delivered to the Governor for approval at 4:12 p.m., February 11, 2013: **HB 53, HB 73.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

2/11/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 9:45 a.m., Saturday, February 9, 2013:

Elizabeth Raiha, Butte
Austin DeShaw, Plentywood
Tiffany Marks, Kalispell
Bailey Thompson, Butte
Blu Cuelho, Manhattan
Hallie Schwend, Twin Bridges

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 11, 2013:

Andrew McLane, Billings
Hannah Patrick, Great Falls
Brandi Berg, Havre
Will Smith, Great Falls
Rylee Doore, Cut Bank
Allie Nelson, Great Falls
Logan Naegeli, Trout Creek
Report Adopted.

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MOTIONS

Minority Leader Hunter announced the Democrats would caucus until 1:35 p.m.
Majority Leader Vance announced the Republicans would stand at ease.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the eleventh, twelfth, thirteenth, fourteenth, and fifteenth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

2/8/2013

HB 6, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "CONDITIONS FOR GRANTS;" on line 9

Insert: "PROVIDING FOR A GENERAL FUND TRANSFER; PROVIDING A TRANSFER FROM
THE ORPHAN SHARE ACCOUNT;"

2. Page 1, line 17.

Strike: "\$100,000"

Insert: "\$350,000"

3. Page 1, line 17.

Following: "projects"

Insert: "as follows:

(i) \$100,000 for emergency projects"

4. Page 1, line 18.

Following: "biennium;"

Insert: "and (ii) \$250,000 for the Ten Mile/Pleasant Valley Sewer District;"

5. Page 1, line 25.

Strike: "and"

6. Page 1, line 26.

Following: "capacity"

Insert: "; and

(g) \$1,273,686 to be used for five grants to Jefferson County for the following Big
Pipestone/Jefferson River Slough Watershed Restoration projects:

(i) Landowner #24 Ranch Channel Restoration, \$760,500;

(ii) Riparian Management Plan Development, \$15,500;

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- (iii) Beaver Management Planning, \$21,240;
- (iv) Landowner #7 Channel Restoration, \$299,596; and
- (v) Jefferson Slough Hydrology and Sedimentology Stations, \$176,850"

7. Page 1, line 28.

Strike: "\$6,761,983"

Insert: "\$8,967,632"

8. Page 6, lines 2 and line 3.

Strike: lines 2 through 3 in their entirety

9. Page 6.

Following: line 29

Insert: "Jefferson Valley Conservation District

(Jefferson Canal Headgate Improvements) \$100,000

Philipsburg, Town of

(Philipsburg Water System Improvements) \$100,000

Carbon County Conservation District

(Phase 2, Ground Water Surface Water Interaction, Phase 2, Ground Water and Surface Water Interaction in the Rock Creek Watershed) \$100,000

Sunny Hills Suburban County Water District

(Sunny Hills WSD Water System Improvements) \$100,000

Drummond, Town of

(Drummond Wastewater System Improvements) \$100,000

Big Horn County Conservation District

(Evaluating the Influence of Irrigation on Ground Water Quality and Quantity in Northern Big Horn County) \$100,000

Joliet, Town of

(Joliet Wastewater System Improvements) \$100,000

Malta, City of

(Malta Water System Improvements) \$100,000

Gallatin County

(Grayling Creek Stream and Riparian Restoration and Parade Rest Guest Ranch Irrigation Project) \$75,000

Lower Musselshell County Conservation District

(East Brewer Irrigation Check Structure Rehabilitation and Southside Canal Lining) \$100,000

Madison County

(Moore's Creek Culvert Replacement) \$100,000

DNRC Water Resources Division

(2012 Infill Drilling and Piezometer Installation Project: East Fork, Fred Burr, Martinsdale, Middle Creek, and Tongue River Dams) \$95,580

Hamilton, City of

(Hamilton Water System Improvements, Well 5) \$100,000

Plevna, Town of

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(Plevna Water System Improvements)	\$100,000	
Stillwater Conservation District		
(Assessing the Ground Water Resources of the Bedrock Aquifers in Stillwater County)		
\$100,000		
Sweet Grass County		
(Greycliff Reach Yellowstone River Stabilization Project)		
\$100,000		
EmKayan County Water and Sewer District		
(EmKayan WSD Water System Improvements, Phase 2)	\$100,000	
Chinook, City of		
(Chinook Water System Improvements)	\$100,000	
Eureka, Town of		
(Eureka Water Treatment Improvement Project)	\$100,000	
Broadwater County Conservation District		
(Big Springs Ditch Water Conservation and Spawning Bed Project)		\$100,000
Pinesdale, Town of		
(Pinesdale Water System Improvements)	\$100,000	
Jefferson County		
(Big Pipestone Creek Remediation)	\$99,531	
Fort Shaw Irrigation District		
(Fort Shaw ID A-System Modification)	\$100,000"	

10. Page 7, line 25.

Insert: "NEW SECTION. Section 5. Transfer of funds. By July 15, 2013, the state treasurer shall transfer to the natural resources projects state special revenue account established in 15-38-302:

(1) \$3,473,686 from the general fund; and

(2) \$250,000 from the orphan share state special revenue account established in 75-10-743."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 8, introduced bill, be amended as follows:

1. Page 1, line 28.

Following: line 27

Insert: "(3) The interest rate for the projects in this group is 4.5% or the rate at which the state bonds are sold, whichever is lower, for up to 30 years.

Loan	Amount
DRY PRAIRIE REGIONAL WATER AUTHORITY	
Local Match for Dry Prairie Projects	\$6,000,000
NORTH CENTRAL REGIONAL WATER AUTHORITY	

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Local Match for North Central Projects

\$10,000,000"

2. Page 2, line 23.

Following: "exceed"

Strike: "\$10,346,964"

Insert: "\$24,711,793 in the 2015 biennium"

3. Page 2, line 24.

Following: "up to"

Strike: "\$1,349,604"

Insert: "\$2,246,527"

And, as amended, do pass. Report adopted.

HB 11, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Following: "PROJECTS;"

Insert: "PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT STATE SPECIAL REVENUE ACCOUNT; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE TREASURE STATE ENDOWMENT REGIONAL WATER SYSTEM SPECIAL REVENUE ACCOUNT;"

2. Page 1, line 19.

Strike: "Appropriations"

Insert: "Appropriation"

3. Page 1, line 20.

Strike: "\$18,342,366 of the interest earnings"

Insert: "\$33,983,538 for the biennium beginning July 1, 2013,"

4. Page 1, line 24.

Strike: "appropriations"

Insert: "grants authorized in this section"

5. Page 1, line 28.

Following: "until"

Strike: "interest earnings"

Insert: "the funds"

6. Page 2, line 4.

Strike: line 4 in its entirety

Renumber: subsequent items

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7. Page 2, line 8.

Following: line 7

Insert: "6.	Powell County	\$320,940
7.	Judith Basin County	\$235,211
8.	Blaine County	\$254,000
9.	Anaconda-Deer Lodge Co.	\$312,104
10.	Jefferson County	\$381,882
11.	Stillwater County	\$205,028
12.	Park County	\$109,955
13.	Glacier County	\$281,927
14.	Big Horn County	\$237,462
15.	Chouteau County	\$178,920
16.	Yellowstone County	\$218,439"

8. Page 2, line 10.

Strike: "\$625,000"

Insert: "\$750,000"

9. Page 2, line 18.

Strike: line 18 in its entirety

Renumber: subsequent items

10. Page 3, line 4.

Following: line 3

Insert: "25.	Choteau, City of (wastewater)	\$750,000
26.	Boulder, City of (wastewater)	\$625,000
27.	Polson, City of (water)	\$625,000
28.	Cut Bank, City of (wastewater)	\$625,000
29.	White Sulphur Springs, City of (wastewater)	\$460,500
30.	Conrad, City of (water)	\$625,000
31.	Winnett, Town of (wastewater)	\$750,000
32.	Malta, City of (water)	\$500,000
33.	Harlowton, City of (wastewater)	\$625,000
34.	Stevensville, Town of (wastewater)	\$750,000
35.	Lodge Grass, Town of (wastewater)	\$750,000
36.	Harlem, City of (wastewater)	\$625,000
37.	Winifred, Town of (wastewater)	\$500,000
38.	Havre, City of (wastewater)	\$500,000
39.	Fairfield, Town of (wastewater)	\$625,000
40.	Miles City, City of (wastewater)	\$500,000
41.	Drummond, Town of (wastewater)	\$750,000
42.	Alberton, Town of (wastewater)	\$292,000
43.	Eureka, Town of (water)	\$550,000
44.	Shelby, City of (stormwater)	\$625,000
45.	Belt, Town of (wastewater)	\$625,000

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46.	Joliet, Town of (wastewater)	\$154,200
47.	Hamilton, City of (wastewater)	\$322,262
48.	Plevna, Town of (water)	\$500,000"

11. Page 3, line 12.

Following: "[section 3(1)]."

Insert: "However, any of the projects listed in subsection (3) that have not completed the conditions described in [section 3(1)] by September 30, 2014, must be reviewed by the next regular session of the legislature to determine if the authorized grant should be withdrawn."

12. Page 3, line 14.

Strike: "2014,"

Insert: "2016,"

13. Page 5, line 17.

Strike: "\$8,900,000"

Insert: "\$17,000,000"

14. Page 5, line 18.

Following: "conservation"

Insert: "for the biennium beginning July 1, 2013,"

15. Page 5, line 18.

Following: "from the"

Strike: "interest earnings of the"

16. Page 6, line 16.

Insert: "NEW SECTION. Section 10. Fund transfer. The state treasurer shall transfer from the state general fund by June 30, 2015:

(1) the amount of \$14,100,000 to the treasure state endowment account in the state special revenue fund; and

(2) the amount of \$8,400,000 to the treasure state endowment regional water system account in the state special revenue fund."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/8/2013

HB 317, do pass. Report adopted.

HUMAN SERVICES (Howard, Chair):

2/8/2013

HB 84, introduced bill, be amended as follows:

1. Title, page 1, lines 8 through 10.

Following: "72-HOUR PERIOD" on line 8

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Strike: "AND REIMBURSEMENT" on line 8 through "STABILIZATION SERVICES" on line 10

2. Page 3, lines 17 through 19.

Strike: subsection (4) in its entirety

3. Page 4, lines 2 through 4.

Strike: ":" on line 2 through "(a)" on line 3

Strike: "and" on line 3 through "from services;" on line 4

And, as amended, do pass. Report adopted.

HB 171, do pass. Report adopted.

HB 241, do pass. Report adopted.

SB 51, be concurred in. Report adopted.

SB 65, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/11/2013

HB 363, introduced bill, be amended as follows:

1. Page 3, line 12.

Strike: "39-51-209"

Insert: "37-51-209"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/9/2013

HB 17, introduced by Hill

HB 137, introduced by Dudik

Senate bill passed and transmitted to the House for concurrence:

2/9/2013

SB 23, introduced by Rosendale

Senate joint resolution passed and transmitted to the House for concurrence:

2/9/2013

SJR 8, introduced by Larsen

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MESSAGES FROM THE GOVERNOR

February 11, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 51** sponsored by Representative Edmunds and **House Bill 92** sponsored by Representative Curtis on February 11, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 438, introduced by Ballance, referred to Judiciary.

HB 441, introduced by Neill, B. Bennett, Coffin, Court, Eck, Hill, Hunter, MacDonald, Pierson, Pomnichowski, B. Smith, Swanson, Wilson, referred to Human Services.

HB 442, introduced by Randall, Lavin, referred to Transportation.

The following Senate bill was introduced, read first time, and referred to committee:

SB 117, introduced by Sonju, Miller, Tutvedt, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bangerter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 105 - Representative Steenberg moved **HB 105** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: J. Bennett, Brodehl, Jones, Kerns, O'Hara, Osmundson, C. Smith, Warburton.

Total 8

Voted Absentee: Squires, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 158 - Representative Kary moved **HB 158** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

HB 213 - Representative Fitzpatrick moved **HB 213** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 41

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 272 - Representative Hoven moved **HB 272** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, Hagstrom, Hollandsworth, Kary, Kerns, Miller, O'Neil, Regier.

Total 8

Voted Absentee: Squires, Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 275 - Representative Regier moved **HB 275** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Glimm, Gursky, Halvorson, Hansen, Hill, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 66

Nays: Ankney, J. Bennett, Berry, Brodehl, Cuffe, Doane, Ehli, Flynn, Galt, Gibson, Greef, Hagan, Hagstrom, Harris, Hertz, Hollandsworth, Ingraham, Jones, Kary, Kerns, Knudsen, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Reichner, Schwaderer, Shaw, Vance, Welborn, Zolnikov, Mr. Speaker.

Total 34

Voted Absentee: Squires, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 288 - Representative Schwaderer moved **HB 288** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Warburton, Aye, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 315 - Representative Knudsen moved **HB 315**, second reading copy, be amended as follows:

1. Title, page 1, line 19 through line 20.

Strike: "PROVIDING" on line 19 through "COSTS;" on line 20

2. Page 5, line 6.

Following: "(11)"

Insert: "(a)"

3. Page 5, line 7.

Following: "by"

Strike: "2-15-121" through "2-15-121(2)(d)"

Insert: "2-15-121(1)(a)"

4. Page 5, line 8.

Following: line 7

Insert: "(b) The commission shall hire staff for the commission, except for any support staff provided by the department of administration for centralized services such as payroll, human resources, accounting, information technology, or other services determined by the commission and the department to be more efficiently provided by the department.

(c) The commission budget requests must be prepared and presented to the legislature and the governor independently of the department of administration."

5. Page 48, line 9 through line 12.

Strike: section 26 in its entirety

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm,

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Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 74

Nays: Ankney, B. Bennett, Boland, Brockie, Court, Curtis, Dudik, Hill, Hollandsworth, Hollenbaugh, Lynch, MacDonald, McClafferty, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Whitford, Wilmer, Woods.

Total 25

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

HB 315 - Representative Knudsen moved **HB 315**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Bangerter moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 73

Nays: B. Bennett, Boland, Boss Ribs, Court, Dudik, Gursky, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Pease-Lopez, Pierson, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 22

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: Connell, Hansen, Lang.
Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 100 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

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Nays: Kary, Kerns.

Total 2

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 146 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr.

Speaker.

Total 83

Nays: B. Bennett, Boland, Court, Dudik, Eck, Lynch, MacDonald, Pease-Lopez, Pomnichowski, Schreiner, B. Smith, Swanson, Whitford, Williams, Wilson.

Total 15

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 147 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Moore, Neill, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

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Nays: B. Bennett, J. Bennett, Boland, Court, Curtis, Dudik, Eck, Edmunds, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hoven, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 247 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Brockie, Peppers, Pomnichowski.
Total 3

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 278 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns,

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Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Boland, Brockie, Court, MacDonald, Pomnichowski, Price, B. Smith, Williams, Wilson.

Total 10

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

SB 111 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Knudsen, Lang, Lavin, Lenz, McChesney, McNiven, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, B. Smith, Wagoner, Washburn, Welborn, Mr. Speaker.

Total 53

Nays: B. Bennett, J. Bennett, Berry, Boland, Brockie, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Gursky, Hill, Jacobson, Jones, Kary, Kerns, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, C. Smith, Steenberg, Swanson, Vance, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 45

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Vance moved **HB 213** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 272** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 275** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 288** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Tuesday, February 12, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
THIRTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 12, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Gursky. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/12/2013

Correctly printed: **HB 12, HB 277, HB 321, HB 325, HB 328, HB 337, HB 346, HB 356, HB 443, HB 444, HB 445, HB 446, HB 447, HB 448, HB 449, HB 450, HB 451, HB 452, HB 453, HB 455, HJR 9, HJR 11.**

Correctly engrossed: **HB 233, HB 299.**

Examined by the sponsor and found to be correct: **HB 17, HB 107.**

Transmitted to the Senate: **HB 100, HB 146, HB 147, HB 247, HB 278, SB 111.**

REPORTS OF STANDING COMMITTEES

TRANSPORTATION (Lavin, Chair):

2/11/2013

HB 299, introduced bill, be amended as follows:

1. Title, line 6.

Strike: "HARLEM"

Insert: "THE BOUNDARY OF THE FORT BELKNAP RESERVATION"

2. Page 1, line 16.

Strike: "2004"

Insert: "2003"

3. Page 2, line 5.

Strike: "western boundary of the city of Harlem"

Insert: "boundary of the Fort Belknap Reservation"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

2/11/2013

HB 107, introduced by Lynch

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Senate bills passed and transmitted to the House for concurrence:

2/11/2013

SB 96, introduced by Tutvedt
SB 112, introduced by Blewett
SB 120, introduced by Buttrey
SB 138, introduced by Wittich

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 443, introduced by Cook, Zolnikov, referred to Taxation.
HB 444, introduced by Jacobson, B. Bennett, Blasdel, Connell, Doane, Flynn, Hunter, Kary, Lieser, McNally, Mehlhoff, Miller, O'Hara, Pierson, Pomnichowski, Price, Van Dyk, Vance, Washburn, Welborn, Wilmer, referred to Taxation.
HB 445, introduced by Reichner, Ingraham, referred to State Administration.
HB 446, introduced by Schwaderer, Kerns, Miller, C. Smith, referred to Judiciary.
HB 447, introduced by Peppers, referred to Education.
HB 448, introduced by Brodehl, referred to State Administration.
HB 449, introduced by O'Neil, referred to Human Services.
HB 450, introduced by Hagan, Knudsen, referred to Business and Labor.
HB 451, introduced by Galt, Ehli, Flynn, Lenz, Randall, referred to Local Government.
HB 452, introduced by Cook, Lewis, McChesney, referred to Appropriations.
HB 453, introduced by Coffin, B. Bennett, Boland, Curtis, Hertz, Lieser, D. Moore, Pomnichowski, Price, Redfield, Salomon, B. Smith, Swanson, Washburn, Woods, referred to Education.
HB 455, introduced by Blyton, Ballance, Glimm, Hertz, Laszloffy, referred to Local Government.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 11, introduced by Regier, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hagan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 12 - Representative Pease-Lopez moved **HB 12** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Greef, Gursky,

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Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 64

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Hagstrom, Halvorson, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 36

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 222 - Representative Miller moved **HB 222** do **not** pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Coffin.

Total 1

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HB 233 - Representative Lavin moved **HB 233**, second reading copy, be amended as follows:

1. Page 2, line 28.

Following: "continuous"

Insert: ", remote sensing,"

2. Page 3, line 4.

Following: "continuous"

Insert: ", remote sensing,"

3. Page 4, line 8.

Following: "data"

Insert: "collected from the pilot program"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 233 - Representative Lavin moved **HB 233**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Kerns, Miller, Schwaderer, Zolnikov.

Total 4

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 277 - Representative McChesney moved **HB 277** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 84

Nays: Brodehl, Doane, Fitzpatrick, Halvorson, Harris, Hertz, Jones, Kary, Kerns, O'Neil, Osmundson, Regier, Schwaderer, White, Woods, Zolnikov.

Total 16

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 321 - Representative Greef moved **HB 321** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 325 - Representative Regier moved **HB 325** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 81

Nays: J. Bennett, Berry, Cuffe, Doane, Flynn, Glimm, Halvorson, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Salomon, Schwaderer, Vance, Zolnikov, Mr. Speaker.

Total 19

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 328 - Representative Washburn moved **HB 328** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: Boland, Boss Ribs, Brockie, Curtis, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Whitford, Williams, Wilson.

Total 17

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 337 - Representative Redfield moved **HB 337** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 346 - Representative Salomon moved **HB 346** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lenz, McChesney, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Curtis, Dudik, Gibson, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Swanson, Whitford, Williams, Wilmer, Wilson.

Total 27

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

HB 356 - Representative Clark moved **HB 356** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 9 - Representative Boland moved **HJR 9**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

Strike: "COAL"

Insert: "NATURAL"

Strike: "COAL-BASED"

Following: "ELECTRICITY"

Insert: "GENERATION"

2. Page 1, line 7.

Strike: "coal represents"

Insert: "Montana has some of"

Strike: "source"

Insert: "sources"

3. Page 1, line 8.

Strike: "coal is one"

Insert: "Montana contains some"

Strike: "fuel"

Insert: "energy"

4. Page 1, line 10.

Strike: "coal-based"

5. Page 1, line 12 through line 13.

Strike: "more" on line 12 through "in" on line 13

Insert: "sufficient energy resources to meet the needs of"

6. Page 1, line 13.

Strike: "with" through "reserves"

7. Page 1, line 14 through line 16.

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Strike: line 14 through line 16 in their entirety

8. Page 1, line 17.

Strike: "coal"

Insert: "natural"

9. Page 1, line 19.

Strike: the first "the" through "Montana"

Insert: "Montana's natural resources"

10. Page 1, line 21 through line 22.

Strike: line 21 through line 22 in their entirety

11. Page 2, line 3.

Strike: "coal-based"

Insert: "natural resources"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 9 - Representative McNiven moved **HJR 9** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson,

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Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 28

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hagan moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr.

Speaker.

Total 91

Nays: McCarthy, McNally, Neill, Pomnichowski, Squires, Swanson, Williams, Wilson.

Total 8

Voted Absentee: None.

Excused: Warburton.

Total 1

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Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 105 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, Jones, Kerns, Osmundson, Schwaderer, C. Smith, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 158 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 315 failed as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 49

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

The Speaker welcomed Representative Squires back to the House after her brief illness.

On a **Point of Personal Privilege** Representative Kerns apologized to the Lewis & Clark Sheriffs Department for having said in testimony earlier in the session that two Sheriff vehicles had come close to running him down while he was jogging, after the Sheriff's department

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reviewed their videos it was determined that it was not them who had caused Representative Kerns concern, but was other officers with light bars on the roof of their vehicles.

MOTIONS

Majority Leader Vance moved **HB 346** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 13, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
THIRTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 13, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative B. Bennett. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/13/2013

Correctly printed: **HB 48, HB 283, HB 305, HB 318, HB 351, HB 360, HB 439, HB 454, HB 456, HB 457, HB 459, HB 460, HB 461, HB 462, HB 463, HB 468, SB 5, SB 36, SB 51, SB 65, SB 66, SB 73, SB 75.**

Correctly enrolled: **HB 32, HB 55, HB 60, HB 111.**

Correctly engrossed: **HB 281, HB 284, HB 345, HB 362.**

Transmitted to the Senate: **HB 105, HB 158.**

Signed by the Speaker at 3:20 p.m., February 13, 2013: **HB 17, HB 41, HB 107, HB 137.**

Signed by the Chief Clerk of the House at 3:43 p.m., February 13, 2013: **HB 17, HB 41, HB 107, HB 137.**

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/12/2013

HB 360, do pass. Report adopted.

SB 75, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/13/2013

HB 48, do pass. Report adopted.

HB 281, introduced bill, be amended as follows:

1. Page 2, line 6.

Following: "surgeon,"

Insert: "physician assistant,"

Following: "dentist,"

Insert: "dental hygienist,"

And, as amended, do pass. Report adopted.

HB 284, introduced bill, be amended as follows:

1. Page 2, line 15 through line 18.

Strike: line 15 through line 18

Insert: "(A) for agency liquor stores with a volume of sales up to \$1.1 million:

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(I) 2.25% during the period beginning July 1, 2013, and ending June 30, 2014;
(II) 3% beginning July 1, 2014;
(B) for agency liquor stores with a volume of sales greater than \$1.1 million and up to \$3.1 million:
(I) 1.375% during the period beginning July 1, 2013, and ending June 30, 2014;
(II) 1.875% beginning July 1, 2014;
(C) for agency liquor stores with a volume of sales greater than \$3.1 million and up to \$5.1 million:
(I) 1% during the period beginning July 1, 2013, and ending June 30, 2014;
(II) 1.125% beginning July 1, 2014;
(D) for agency liquor stores with a volume of sales greater than \$5.1 million:
(I) 0.875% during the period beginning July 1, 2013, and ending June 30, 2014;
(II) 1% beginning July 1, 2014; or"

2. Page 2, line 19.

Strike: "(C)"

Insert: "(E)"

3. Page 2, line 20.

Strike: "(4)(a)(ii)(A) or (4)(a)(ii)(B)"

Insert: "(4)(a)(ii)"

4. Page 2, line 23.

Strike: "subsections (4)(a)(ii)(A) and (4)(a)(ii)(B)"

Insert: "subsection (4)(a)(ii) of the relevant year"

And, as amended, do pass. Report adopted.

HB 345, introduced bill, be amended as follows:

1. Page 2, line 18.

Following: line 17

Insert: "(8) "State" means the state of Montana."

2. Page 3, lines 9 and 10.

Strike: "to conceal" on line 9 through "contractors" on line 10

Insert: "material to an obligation to pay or transmit money or property to a governmental entity or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to a governmental entity"

3. Page 4, line 5.

Strike: "a"

4. Page 4, line 6.

Following: "(i)"

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Insert: "a"

5. Page 4, line 8.

Following: "(ii)"

Insert: "a"

6. Page 4, line 9.

Following: "(iii)"

Insert: "the"

Strike: "report"

7. Page 4, line 15 through line 18.

Strike: ":" on line 15 through "entity;" on line 18

Insert: "brought under 17-8-406 against the state or an officer or employee of the state arising from conduct by the officer or employee within the scope of the officer's or employee's duties to the state."

8. Page 7, line 10.

Strike: "If the" through ", a"

Insert: "A"

9. Page 7, line 14.

Following: "."

Insert: "If the governmental entity does not intervene, it is not responsible for any of the defendant's fees and costs."

10. Page 7, line 17.

Strike: "Prohibition on employers -- employee

Insert: "Retaliatory actions prohibited --"

11. Page 7, line 18.

Strike: "officer, agency,"

Insert: "agent,"

12. Page 7, line 22.

Strike: "officer, agency,"

Insert: "agent,"

13. Page 7, line 24.

Strike: "officer, agency,"

Insert: "agent,"

14. Page 7, line 26 through page 8, line 5.

Strike: "(a) A governmental" on page 7, line 26 through "occurred." on page 8, line 5

Insert: "An employee, contractor, or agent is entitled to all relief necessary to make the employee,

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contractor, or agent whole if the employee, contractor, or agent is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful acts done by the employee, contractor, or agent or associated others in furtherance of an action under this part or other efforts to stop one or more violations of this part.

(4) Relief under subsection (3) includes reinstatement with the same seniority status the employee, contractor, or agent would have had but for the discrimination, two times the amount of back pay, interest on the back pay, and compensation for any special damages sustained as a result of the discrimination, including litigation costs and reasonable attorney fees. A civil action may be brought in the appropriate district court of the state for the relief provided in this subsection.

(5) A civil action under this section may not be brought more than 3 years after the date on which the retaliation occurred."

And, as amended, do pass. Report adopted.

HB 362, introduced bill, be amended as follows:

1. Title, line 8.

Following: "35-8-202,"

Insert: "35-8-205,"

2. Page 5, line 7.

Strike: "does not apply"

Insert: "applies"

3. Page 7, following line 16.

Insert: "**Section 5.** Section 35-8-205, MCA, is amended to read:

"35-8-205. Filing with secretary of state. (1) The articles of organization or any other document required to be filed pursuant to this chapter must be delivered to the secretary of state. If the secretary of state determines that the documents conform to the filing provisions of this chapter and that all required filing fees have been paid, the secretary of state shall:

(a) endorse on the signed document the word "filed" and the date and time of accepting the document for filing;

(b) retain the signed document in the secretary of state's files; and

(c) send a certification letter to the person who filed the document or to the person's representative.

(2) If the secretary of state is unable to make the determination required for filing by subsection (1) at the time any documents are delivered for filing, the documents are considered to have been filed at the time of delivery if the secretary of state subsequently determines that the documents as delivered conform to the filing provisions of 35-8-201 through 35-8-211.

(3) All documents filed with the secretary of state must reflect the name of the limited liability company and all series of members within the limited liability company if the limited liability company has one or more series of members."

Renumber: subsequent sections

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And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 2/13/2013
SB 5, be concurred in. Report adopted.
SB 36, be concurred in. Report adopted.
SB 66, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/12/2013

SB 174, introduced by Keane
SB 183, introduced by Arntzen
SB 213, introduced by Larsen

Senate joint resolution passed and transmitted to the House for concurrence: 2/12/2013

SJR 11, introduced by D. Brown

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 439, introduced by MacDonald, referred to Agriculture.
HB 454, introduced by McChesney, referred to Joint Select Committee on Pensions.
HB 456, introduced by Wilmer, referred to Human Services.
HB 457, introduced by Price, referred to Education.
HB 459, introduced by Kerns, referred to Judiciary.
HB 460, introduced by Hagan, Berry, referred to Business and Labor.
HB 461, introduced by Lieser, Ankney, B. Bennett, Coffin, Curtis, Gursky, Pomnichowski, Steenberg, Whitford, referred to Local Government.
HB 462, introduced by D. Jones, Knudsen, C. Smith, referred to Judiciary.
HB 463, introduced by G. Bennett, Sonju, referred to Business and Labor.
HB 468, introduced by Doane, referred to Taxation.

The following Senate bill was introduced, read first time, and referred to committee:

SB 164, introduced by Keane, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNiven in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 88 - Representative Hoven moved **HB 88** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Voting Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 283 - Representative Wagoner moved **HB 283** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schwaderer.

Total 1

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Voting Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 300 - Representative Salomon moved consideration of **HB 300** be passed for the day.
Motion Carried.

HB 305 - Representative Lang moved **HB 305** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voting Absentee: Warburton, Aye.

Voting Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 318 - Representative Mehlhoff moved **HB 318** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 351 - Representative Edmunds moved **HB 351** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 51 - Representative Hill moved **SB 51** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Miller.
Total 1

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 65 - Representative Hill moved **SB 65** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: B. Bennett, Dudik, Pomnichowski, Wilson.
Total 4

Voting Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

SB 73 - Representative Gursky moved **SB 73** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Cuffe.

Total 1

Voting Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McNiven moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

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Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Connell.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 12 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Howard, Jones, Kerns, Knudsen, Laszloffy, McChesney, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, Vance, Wagoner, Washburn, White.

Total 29

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Berry, Hoven.

Total 2

HB 233 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill,

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Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Kerns, Miller, Schwaderer, Williams.

Total 4

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Flynn.

Total 1

HB 277 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 80

Nays: Brodehl, Doane, Fitzpatrick, Halvorson, Harris, Hertz, Hoven, Jones, Kary, Kerns, O'Neil, Osmundson, Pomnichowski, Regier, Schwaderer, Vance, White, Woods, Zolnikov.

Total 19

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 321 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Pease-Lopez, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McClafferty, McNally, Neill, Noonan, O'Neil, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 36

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 325 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 77

Nays: J. Bennett, Berry, Cuffe, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Redfield, Salomon, Schwaderer, C. Smith, Vance, Zolnikov, Mr. Speaker.

Total 22

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

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HB 328 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 79

Nays: Boland, Boss Ribs, Brockie, Curtis, Dudik, Lynch, MacDonald, McCarthy, McClafferty, McNally, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Whitford, Williams, Wilson.
Total 20

Voting Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 337 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voting Absentee: None.

Excused: Warburton.

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Total 1

Absent or not voting: None.

Total 0

HB 356 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HJR 9 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 29

Voting Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Representative Lieser moved to change his vote on **HJR 9** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, February 14, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 14, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Warburton and Whitford, excused. Quorum present.

BILLS (O'Hara, Chair):

2/14/2013

Correctly printed: **HB 84, HB 153, HB 179, HB 241, HB 249, HB 317, HB 323, HB 334, HB 367, HB 464, HB 465, HB 466, HB 467, HB 469, HB 470, HB 471, HB 472, HB 473, HB 474, HB 475, HB 476, HB 477, HB 478, HB 479, HB 480, HB 481, HB 482, HB 483, HB 484, HJR 12, SB 90, SB 141.**

Correctly engrossed: **HB 317.**

Correctly enrolled: **HB 40, HB 52.**

Examined by the sponsor and found to be correct: **HB 32, HB 111.**

Transmitted to the Senate: **HB 12, HB 17, HB 41, HB 107, HB 137, HB 233, HB 277, HB 321, HB 325, HB 328, HB 337, HB 356, HJR 9.**

Signed by the President at 10:34 a.m., February 14, 2013: **HB 17, HB 41, HB 107, HB 137.**

Delivered to the Governor for approval at 11:00 a.m., February 14, 2013: **HB 17, HB 41, HB 107, HB 137.**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 2/13/2013
SB 90, be concurred in. Report adopted.
SB 141, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/13/2013

HB 334, do pass. Report adopted.

HB 367, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/13/2013

HB 32, introduced by Hollandsworth

HB 55, introduced by Knudsen

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HB 60, introduced by Berry
HB 111, introduced by Miller

Senate bills passed and transmitted to the House for concurrence:

2/13/2013

SB 86, introduced by F. Moore
SB 179, introduced by Kaufmann
SB 202, introduced by Kaufmann
SB 211, introduced by F. Moore

MESSAGES FROM THE GOVERNOR

February 13, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 35** sponsored by Representative Miller, **House Bill 56** sponsored by Representative Noonan, **House Bill 73** sponsored by Representative Flynn, and **House Bill 132** sponsored by Representative Lavin on February 13, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 464, introduced by Clark, Hunter, Keane, Tutvedt, referred to Business and Labor.
HB 465, introduced by Blyton, Cook, Hollandsworth, Lenz, referred to Local Government.
HB 466, introduced by Blyton, Fielder, Kary, Washburn, referred to State Administration.
HB 467, introduced by Wilmer, referred to Judiciary.
HB 469, introduced by Fitzpatrick, Glimm, referred to Business and Labor.
HB 470, introduced by Fitzpatrick, referred to State Administration.
HB 471, introduced by Hertz, Ballance, Bangerter, Blyton, Clark, Eck, Greef, Gursky, Hill, Jackson, Lang, Laszloffy, Lieser, Lynch, McChesney, D. Moore, O'Hara, Price, Salomon, Schwaderer, Shaw, Welborn, Williams, Wilmer, Woods, referred to Agriculture.

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HB 472, introduced by G. Bennett, Ballance, Blasdel, Brodehl, Clark, Ehli, Fitzpatrick, Flynn, Galt, Greef, Hansen, Harris, L. Jones, Kerns, Knudsen, Laszloffy, Miller, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, referred to Taxation.

HB 473, introduced by Reichner, referred to Business and Labor.

HB 474, introduced by Kary, Augare, Blyton, Driscoll, Facey, Hamlett, Jackson, Jergeson, Larsen, Lewis, Malek, Olson, Osmundson, Taylor, Van Dyk, referred to Business and Labor.

HB 475, introduced by McNally, B. Bennett, Boland, Coffin, Court, Dudik, Eck, Jacobson, Jergeson, Lieser, MacDonald, McCarthy, Pease-Lopez, Pomnichowski, B. Smith, Steenberg, Williams, Wilson, Woods, referred to Federal Relations, Energy, and Telecommunications.

HB 476, introduced by Curtis, referred to Local Government.

HB 477, introduced by Berry, referred to Federal Relations, Energy, and Telecommunications.

HB 478, introduced by Laszloffy, Arntzen, G. Bennett, Blyton, Boulanger, D. Brown, Clark, Dudik, Gursky, Hertz, D. Jones, Knudsen, Malek, Rosendale, Taylor, Thomas, Tutvedt, Zolnikov, referred to Judiciary.

HB 479, introduced by Clark, referred to Human Services.

HB 480, introduced by Edmunds, referred to Taxation.

HB 481, introduced by McClafferty, B. Bennett, Boland, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Lieser, Lynch, MacDonald, McChesney, McNally, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Squires, Steenberg, Williams, Wilson, Woods, referred to Judiciary.

HB 482, introduced by McCarthy, MacDonald, Miller, Schwaderer, Wilmer, Zolnikov, referred to Business and Labor.

HB 483, introduced by Lieser, B. Bennett, Boland, Dudik, Gursky, MacDonald, McClafferty, Peppers, Pierson, Pomnichowski, Price, Wilson, referred to Natural Resources.

HB 484, introduced by Redfield, Blasdel, Knudsen, Vance, White, referred to Agriculture.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 12, introduced by Blasdel, Hollenbaugh, Hunter, Knudsen, McClafferty, Sesso, Sonju, Vance, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Neill in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 84 - Representative Noonan moved consideration of **HB 84** be placed at the bottom of the second reading board. Motion carried.

HB 84 - Representative Noonan moved **HB 84** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Brodehl, Kerns.
Total 2

Voted Absentee: Hagan, O'Hara, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 153 - Representative Gibson moved **HB 153** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 95

Nays: Hansen, Kerns, McNiven, Zolnikov.
Total 4

Voted Absentee: Hagan, O'Hara, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: Hollandsworth.

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Total 1

HB 179 - Representative Randall moved **HB 179** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Hagan, O'Hara, Squires, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 241 - Representative Miller moved **HB 241** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Brockie, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: Ballance, B. Bennett, Boland, Boss Ribs, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, MacDonald, McChesney, McClafferty, McNally, Neill, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Hagan, Warburton, Aye; O'Hara, Squires, Whitford, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 249 - Representative Doane moved **HB 249** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Hagan, O'Hara, Warburton, Aye; Squires, Whitford, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 300 - Representative Salomon moved **HB 300**, second reading copy, be amended as follows:

1. Page 1, line 27.

Strike: "16"

Insert: "18"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald,

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McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Edmunds, Lavin, Regier, Zolnikov.

Total 4

Voted Absentee: Hagan, Squires, Warburton, Whitford, Aye.

Excused: O'Hara.

Total 1

Absent or not voting: None.

Total 0

HB 300 - Representative Salomon moved **HB 300**, as amended, do pass. Motion **failed** as follows:

Yeas: Bangerter, Berry, Blyton, Brockie, Clark, Coffin, Cook, Curtis, Eck, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Lavin, Lieser, McCarthy, McChesney, McClafferty, McNally, McNiven, Moore, Neill, O'Hara, Pierson, Redfield, Regier, Reichner, Salomon, B. Smith, Steenberg, Wagoner, Washburn, White, Williams, Wilmer, Mr. Speaker.

Total 41

Nays: Ankney, Ballance, B. Bennett, J. Bennett, Boland, Boss Ribs, Brodehl, Connell, Court, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Harris, Hill, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lynch, MacDonald, Mehlhoff, Miller, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Swanson, Vance, Warburton, Welborn, Whitford, Wilson, Woods, Zolnikov.

Total 59

Voted Absentee: Hagan, O'Hara, Aye: Squires, Warburton, Whitford, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 317 - Representative Hunter moved **HB 317** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hagan, O'Hara, Squires, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 323 - Representative Cuffe moved **HB 323** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: McNiven, Peppers, Pomnichowski, Schreiner, Wilson.
Total 5

Voted Absentee: Hagan, O'Hara, Squires, Warburton, Whitford, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Neill moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Lavin, Salomon.

Total 2

Voted Absentee: None.

Excused: Hagan, O'Hara, Squires, Warburton, Whitford.

Total 5

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 283 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Schwaderer.

Total 1

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: Edmunds.

Total 1

HB 305 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: Doane, Edmunds.

Total 2

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HB 318 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Jacobson.

Total 1

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: Edmunds.

Total 1

HB 351 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton, Whitford.

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Total 2

Absent or not voting: Edmunds.

Total 1

SB 51 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Schwaderer.

Total 1

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: Edmunds.

Total 1

SB 65 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Woods, Mr. Speaker.

Total 88

Nays: B. Bennett, Dudik, Hunter, McClafferty, Pomnichowski, Schreiner, B. Smith, Squires, Wilson, Zolnikov.

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Total 10

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: None.

Total 0

SB 73 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton, Whitford.

Total 2

Absent or not voting: Noonan.

Total 1

MOTIONS

Representative Hill moved to change her vote on **SB 65** from No to Yes. Without objection, so ordered.

Majority Leader Vance moved **HB 84** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 153** be moved from the Committee of the Whole to the Appropriations committee.

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Majority Leader Vance moved **HB 241** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 249** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 66** be moved from the Committee of the Whole to the State Administration committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, February 15, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
THIRTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 15, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Schwaderer, Warburton, and Whitford, excused. Quorum present.

BILLS (O'Hara, Chair):

2/15/2013

Correctly printed: **HB 97, HB 287, HB 360, HB 362, HB 363, HB 371, HB 416, HB 420, HB 485, HB 486, HB 487, HB 488, HB 489, HB 490, HB 491, HB 492, HB 493, HB 494, HB 495, HB 497, HB 498, HB 499, HB 500, HB 501, HB 502, HB 503, HB 504, HB 505, HB 506, HB 507, SB 5, SB 36, SB 75, SB 141.**

Correctly engrossed: **HB 254, HB 255, HB 322.**

Correctly enrolled: **HB 164.**

Examined by the sponsor and found to be correct: **HB 40, HB 52, HB 55, HB 60.**

Transmitted to the Senate: **HB 283, HB 305, HB 318, HB 351, SB 51, SB 65, SB 73.**

Signed by the Speaker at 2:25 p.m., February 15, 2013: **HB 32, HB 40, HB 52, HB 55, HB 60, HB 111.**

Signed by the Chief Clerk of the House at 3:05 p.m., February 15, 2013: **HB 32, HB 40, HB 52, HB 55, HB 60, HB 111.**

Signed by the President at 4:15 p.m., February 15, 2013: **HB 32, HB 40, HB 52, HB 55, HB 60, HB 111.**

Delivered to the Governor for approval at 4:31 p.m., February 15, 2013: **HB 32, HB 40, HB 52, HB 55, HB 60, HB 111.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixteenth, eighteenth, nineteenth, and twentieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

2/14/2013

HB 322, introduced bill, be amended as follows:

1. Page 1, line 16 through line 17.

Strike: "Each" on line 16 through "general fund." on line 17

2. Page 1, line 17.

STATE INTERNET/BBS COPY

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Following: "the money"

Insert: "transferred in 15-1-122(4) to the account from the state general fund"

3. Page 1, line 19.

Following: "bills"

Strike: "and livestock" through "rates"

And, as amended, do pass. Report adopted.

HB 420, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

2/14/2013

HB 371, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/15/2013

HB 287, do pass. Report adopted.

HB 416, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/15/2013

HB 97, do pass. Report adopted.

HB 254, introduced bill, be amended as follows:

1. Page 1, line 15.

Strike: "has been"

Insert: "is"

2. Page 1, line 16.

Strike: "It is the responsibility of the"

Insert: "The "

Strike: "to"

Insert: "should"

3. Page 1, line 16 through line 17.

Strike: "the statements" on line 16 through "communication" on line 17

Insert: "its content"

And, as amended, do pass. Report adopted.

HB 255, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "CERTAIN"

Following: "POLITICAL"

Insert: "ACTION"

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2. Page 1, line 13.

Strike: "certain"

Following: "political"

Insert: "action"

3. Page 1, line 18.

Strike: "that purpose"

Insert: "the candidate or against the candidate"

4. Page 1, line 20.

Strike: "that purpose"

Insert: "the issue or against the issue"

5. Page 1, line 23.

Following: "election"

Insert: "upon the individual's or entity's request"

6. Page 1, line 24.

Strike: "potential donors"

Insert: "those individuals or entities being solicited for contributions"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

2/14/2013

HB 148, introduced by Connell

House bills concurred in and returned to the House:

2/14/2013

HB 40, introduced by Dudik

HB 52, introduced by Lieser

Senate bills passed and transmitted to the House for concurrence:

2/14/2013

SB 9, introduced by Murphy

SB 106, introduced by Jergeson

SB 149, introduced by Thomas

SB 225, introduced by Arntzen

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MESSAGES FROM THE GOVERNOR

February 15, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 21** sponsored by Representative Cook on February 14, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 485, introduced by Lavin, referred to Local Government.

HB 486, introduced by Lavin, referred to Local Government.

HB 487, introduced by Connell, referred to Transportation.

HB 488, introduced by Gursky, Boland, Curtis, Dudik, Eck, Hill, Jacobson, Laszloffy, Lieser, MacDonald, McChesney, Peppers, Pierson, Pomnichowski, Schreiner, B. Smith, Steenberg, Wilson, Woods, referred to Business and Labor.

HB 489, introduced by Hunter, referred to Business and Labor.

HB 490, introduced by Curtis, B. Bennett, Boland, Court, Dudik, Eck, Gursky, Hollenbaugh, Lieser, Lynch, MacDonald, McNally, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Tropila, Williams, Wilson, referred to Taxation.

HB 491, introduced by B. Bennett, Bangerter, Boland, Calf Boss Ribs, Coffin, Court, Curtis, Dudik, Gibson, Gursky, Hertz, Ingraham, Jacobson, D. Jones, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Steenberg, Swanson, Wilmer, Wilson, Woods, referred to State Administration.

HB 492, introduced by Hill, Edmunds, Gursky, Larsen, D. Moore, referred to Taxation.

HB 493, introduced by Hill, G. Bennett, Edmunds, Galt, D. Jones, Kary, Reichner, Rosendale, referred to Human Services.

HB 494, introduced by Glimm, G. Bennett, Fitzpatrick, Halvorson, Hollenbaugh, Regier, referred to Transportation.

HB 495, introduced by Court, referred to Agriculture.

HB 497, introduced by White, Glimm, Harris, Howard, Knudsen, Redfield, Regier, Schwaderer, Shaw, Washburn, referred to Local Government.

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HB 498, introduced by Hill, Noonan, referred to State Administration.

HB 499, introduced by Hill, Arntzen, Edmunds, Gursky, Hansen, Knudsen, Larsen, Rosendale, referred to Local Government.

HB 500, introduced by Eck, referred to Taxation.

HB 501, introduced by Berry, referred to Business and Labor.

HB 502, introduced by Brodehl, referred to Agriculture.

HB 503, introduced by Edmunds, referred to Business and Labor.

HB 504, introduced by Dudik, referred to Human Services.

HB 505, introduced by Kerns, referred to Judiciary.

HB 506, introduced by Welborn, referred to Business and Labor.

HB 507, introduced by Harris, Redfield, White, referred to Agriculture.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lynch in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 48 - Representative Vance moved consideration of **HB 48** be passed for the day. Motion Carried.

HB 360 - Representative White moved **HB 360** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 362 - Representative Berry moved **HB 362** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: Hill, Steenberg.

Total 2

HB 363 - Representative Berry moved **HB 363** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 42

Voted Absentee: Schwaderer, Warburton, Aye; Whitford, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 5 - Representative Price moved **SB 5** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 36 - Representative Bangerter moved **SB 36** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 75 - Representative Flynn moved **SB 75** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,
Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,
Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,
Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,
Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson,
Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,
Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 141 - Representative Ankney moved **SB 141** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,
Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Schwaderer, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lynch moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Connell, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McNiven, Miller, Moore, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, B. Smith, C. Smith, Squires, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Woods, Mr. Speaker.
Total 75

Nays: None.
Total 0

Voted Absentee: None.

Excused: Schwaderer, Warburton, Whitford.
Total 3

Absent or not voting: Ankney, Brockie, Coffin, Cook, Court, Cuffe, Eck, Harris, Jacobson, Laszloffy, MacDonald, McClafferty, McNally, Mehlhoff, Neill, O'Neil, Salomon, Shaw, Steenberg, Swanson, Wilson, Zolnikov.
Total 22

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THIRTY-FOURTH LEGISLATIVE DAY - FEBRUARY 15, 2013

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 179 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Schwaderer, Warburton, Whitford.
Total 3

Absent or not voting: Noonan.
Total 1

HB 317 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: None.

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Voted Absentee: None.

Total 0

Excused: Schwaderer, Warburton, Whitford.

Total 3

Absent or not voting: Flynn, Wagoner.

Total 2

HB 323 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: McNiven, Peppers, Pomnichowski, Schreiner, B. Smith, Wilson.

Total 6

Voted Absentee: None.

Excused: Schwaderer, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **REMOVED** as sponsor to **HB 404**
Motion carried.

HB 404 (Flynn Chief Sponsor)
Pomnichowski.

SPECIAL ORDERS OF THE DAY

Representative Price thanked the pages for their service.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, February 16, 2013. Motion carried.

House adjourned at 1:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 16, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Cuffe. Pledge of Allegiance of the Flag.

Roll Call. All members present, except Representatives Calf Boss Ribs, Randall, Warburton, and Wilmer, excused. Quorum present.

BILLS (O'Hara, Chair):

2/16/2013

Correctly printed: **HB 66, HB 95, HB 163, HB 189, HB 205, HB 240, HB 284, HB 287, HB 301, HB 302, HB 303, HB 304, HB 334, HB 367, HB 371, HB 374, HB 384, HB 388, HB 389, HB 392, HB 420, HB 446, HB 508, HB 509, HB 510, HB 511, HB 512, HB 513, HB 514, HB 515, HB 516, HB 517, HB 518, SB 47, SB 90.**

Correctly engrossed: **HB 170, HB 203, HB 286, HB 297, HB 310, HB 335, HB 352, HB 358, HB 359, HB 402, HB 404.**

Transmitted to the Senate: **HB 179, HB 317, HB 323.**

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/14/2013

HB 404, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "A DELAYED"

Insert: "AN"

2. Page 3, line 26.

Strike: "January 1, 2014"

Insert: "July 1, 2013"

3. Page 3, line 28.

Strike: "2017"

Insert: "2015"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

2/15/2013

HB 66, do pass. Report adopted.

HB 95, do pass. Report adopted.

HB 163, do pass. Report adopted.

HB 170, introduced bill, be amended as follows:

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1. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 16.

Following: line 15

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates June 30, 2019."

And, as amended, do pass. Report adopted.

HB 189, do pass. Report adopted.

HB 203, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "APPROPRIATION;"

Insert: "PROVIDING A COORDINATION INSTRUCTION REGARDING APPROPRIATIONS FOR AID TO PUBLIC LIBRARIES;"

2. Title, page 1, line 7.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 2, line 25.

Strike: "50"

Insert: "30"

4. Page 2, line 27.

Strike: "50"

Insert: "30"

5. Page 3, line 8.

Following: line 7

Insert: "NEW SECTION. Section 3. Coordination instruction. If House Bill No. 2 is passed and approved and includes an appropriation to the state library commission to provide state aid to public libraries that is equal to or greater than the amount of funding as calculated in [section 2 of this act, amending 22-1-327], then [section 4 of this act] must read as follows:

"NEW SECTION. Section 4. Effective date. [This act] is effective July 1, 2015."

Renumber: subsequent sections

6. Page 3, line 10.

Following: line 9

Insert: "NEW SECTION. Section 5. Termination. [This act] terminates July 1, 2017."

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And, as amended, do pass. Report adopted.

SB 47, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):
HB 297, introduced bill, be amended as follows:

2/15/2013

1. Title, line 10.

Following: "PROGRAM"

Insert: "OR OTHER APPLICABLE FEDERAL LAW"

2. Title, line 10 through line 11.

Strike: "PROVIDING" on line 10 through "LAW;" on line 11

3. Page 2, line 30.

Following: "filed"

Insert: "and that the employer has 15 days to respond to the complaint"

4. Page 3, line 13.

Following: "hearing"

Insert: ", subject to the contested case provisions of the Montana Administrative Procedure Act,"

5. Page 3, line 16.

Following: "program"

Strike: ". An employer who establishes that"

Insert: "or"

6. Page 3, line 17 through line 18.

Strike: "establishes" on line 17 through "(1)" on line 18

7. Page 3, line 19.

Strike: "8 U.S.C. 1324a(b)"

Insert: "this subsection"

8. Page 4, line 19.

Following: "(5)"

Insert: "(a)"

9. Page 4, line 21.

Following: "suspend,"

Strike: "for at least 30 days or for a longer period of time"

10. Page 4, line 22.

Following: "department"

Insert: "pursuant to subsection (5)(b)"

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11. Page 4, line 27.

Following: "license"

Strike: "for at least 30 days or for a longer period"

12. Page 4, line 28.

Following: "department"

Insert: "pursuant to subsection (5)(b)"

13. Page 4, following line 28.

Insert: "(b) (i) For a second offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 1-day period.

(ii) For a third offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 3-day period.

(iii) For a fourth or subsequent offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 10-day period."

14. Page 4, line 29 through line 30.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 310, introduced bill, be amended as follows:

1. Page 1, line 15.

Insert: "(3) This section does not apply to instances of gross negligence or willful or wanton acts or omissions."

And, as amended, do pass. Report adopted.

HB 402, introduced bill, be amended as follows:

1. Title, line 5.

Following: "OF"

Insert: "TABLE"

Following: "WINE"

Insert: "TO INDIVIDUAL CONSUMERS"

2. Page 1, line 16.

Following: "cases of"

Insert: "table"

3. Page 1, line 18.

Following: "of"

Insert: "table"

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4. Page 1, line 20.

Following: "of"

Insert: "table"

5. Page 1, line 25.

Following: "ship"

Insert: "table"

6. Page 1, line 28.

Following: "shipping"

Insert: "table"

7. Page 2, line 2.

Following: "of"

Insert: "table"

8. Page 2, line 3.

Following: "the"

Insert: "table"

9. Page 2, line 5.

Following: "of"

Insert: "table"

10. Page 2, line 12.

Following: "whom the"

Insert: "table"

11. Page 2, line 13.

Following: "of"

Insert: "table"

12. Page 2, line 18.

Following: "fill"

Insert: "table"

13. Page 3, line 6.

Following: "on"

Insert: "table"

14. Page 4, line 22.

Following: "ship"

Insert: "table"

15. Page 5, line 24.

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Following: "and"
Insert: "table wine"

16. Page 6, line 20.
Following: "ship"
Insert: "table"

17. Page 7, line 22.
Following: "~~bottles or~~"
Insert: "288 bottles or"

18. Page 9, line 7.
Following: "of"
Insert: "table"

And, as amended, do pass. Report adopted.

EDUCATION (Hansen, Chair):
HB 286, introduced bill, be amended as follows:

2/15/2013

1. Page 1, line 22.
Following: "who"
Insert: "have one-fourth Indian blood or more or"

And, as amended, do pass. Report adopted.

HB 301, do pass. Report adopted.

JUDICIARY (Kerns, Chair):
HB 205, do pass. Report adopted.
HB 240, do pass. Report adopted.
HB 302, do pass. Report adopted.
HB 303, do pass. Report adopted.
HB 304, do pass. Report adopted.

2/15/2013

HB 335, introduced bill, be amended as follows:

1. Page 2, line 9.
Following: "~~confinement.~~"
Insert: "If, at the time of sentencing, the sentencing judge did not apply a level designation to a sexual offender who is required to register under this part and who was sentenced prior to October 1, 1997, the department shall designate the offender as level 1, 2, or 3 when the offender is released from confinement."

2. Page 2, line 9 through line 16.

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Strike: "Upon" on line 9 through "offender." on line 16

3. Page 2, following line 22.

Insert: "(8) Upon obtaining information that indicates that a sexual offender who is required to register under this part does not have a level 1, 2, or 3 designation, the attorney general, the county attorney that prosecuted the offender and obtained a conviction for a sexual offense, or the county attorney for the county in which the offender resides may, at any time, petition the district court that sentenced the offender for a sexual offense or the district court for the judicial district in which the offender resides to designate the offender as level 1, 2, or 3. Upon the filing of the petition, the court may order a sexual offender evaluation report at the petitioner's expense. The court shall provide the offender with an opportunity for a hearing prior to designating the offender. The petitioner shall provide the offender with notice of the petition and notice of the hearing."

And, as amended, do pass. Report adopted.

HB 352, introduced bill, be amended as follows:

1. Page 1, line 13 through line 15.

Following: "disqualification" on line 13

Strike: remainder of line 13 through line 15 in their entirety

Insert: "of judges, the justice of the peace shall follow the procedures provided in 3-1-803 and 3-1-805 and transfer the action to a district court judge presiding in the district of the justice's court."

And, as amended, do pass. Report adopted.

HB 358, do pass. Report adopted.

HB 374, do pass. Report adopted.

HB 384, do pass. Report adopted.

HB 446, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

2/15/2013

HB 359, introduced bill, be amended as follows:

1. Page 4, line 2.

Following: "facility."

Insert: "Admission of this evidence does not make the department a necessary party to the action."

And, as amended, do pass. Report adopted.

HB 388, do pass. Report adopted.

HB 389, do pass. Report adopted.

HB 392, do pass. Report adopted.

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MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 2/15/2013

HB 164, introduced by Curtis

Senate bills passed and transmitted to the House for concurrence: 2/15/2013

SB 196, introduced by Rosendale

SB 209, introduced by Arthun

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 508, introduced by Edmunds, referred to Transportation.

HB 509, introduced by Regier, referred to Federal Relations, Energy, and Telecommunications.

HB 510, introduced by Ingraham, referred to State Administration.

HB 511, introduced by McChesney, Van Dyk, referred to Business and Labor.

HB 512, introduced by McClafferty, Brockie, Calf Boss Ribs, Coffin, Dudik, Gursky, Lynch, McChesney, D. Moore, Noonan, Pease-Lopez, Peppers, Pierson, Price, Salomon, Swanson, Welborn, referred to Fish, Wildlife and Parks.

HB 513, introduced by McChesney, Ankney, Arntzen, Blasdel, Cuffe, Glimm, Hollandsworth, Keane, Thomas, Vincent, referred to Transportation.

HB 514, introduced by McNally, referred to Judiciary.

HB 515, introduced by Harris, referred to Judiciary.

HB 516, introduced by Harris, referred to Natural Resources.

HB 517, introduced by Cuffe (by request of the Office of Budget and Program Planning), referred to Appropriations.

HB 518, introduced by Gursky, B. Bennett, Lieser, MacDonald, O'Hara, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 148 - Senate Amendments - Representative Connell moved Senate amendments to **HB 148** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 284 - Representative Cook moved **HB 284** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Glimm, Greef, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Gibson, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Lenz, McNiven, Miller, O'Neil, Osmundson, Peppers, Regier, Reichner, C. Smith, Wagoner, Warburton, Zolnikov.
Total 32

Voted Absentee: Boss Ribs, Randall, Wilmer, Aye; Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.

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Total 0

HB 287 - Representative Salomon moved **HB 287** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, Edmunds, Fiscus, Flynn, Greef, Hagstrom, Halvorson, Harris, Jones, Kary, Kerns, Miller, O'Neil, Randall, Schwaderer, Vance, White, Zolnikov.

Total 19

Voted Absentee: Boss Ribs, Warburton, Wilmer, Aye, Randall, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 334 - Representative Eck moved **HB 334** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Berry, Harris, Wilson.

Total 3

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 367 - Representative McNiven moved **HB 367** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Gibson.

Total 1

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 371 - Representative Ingraham moved **HB 371** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: Hoven, Kerns, Lenz, Schwaderer.

Total 4

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 416 - Representative Reichner moved **HB 416** do pass. Motion **failed** as follows:

Yeas: Ankney, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Dudik, Gursky, Hagan, Hill, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Reichner, Salomon, Shaw, B. Smith, Steenberg, Welborn, Whitford, Wilmer, Wilson.

Total 36

Nays: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, Miller, Moore, Noonan, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, Schreiner, Schwaderer, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Woods, Zolnikov, Mr. Speaker.

Total 64

Voted Absentee: Boss Ribs, Wilmer, Aye; Randall, Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 420 - Representative Salomon moved **HB 420** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson,

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Woods.
Total 69

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Gibson, Glimm, Halvorson, Harris, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Regier, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.
Total 31

Voted Absentee: Boss Ribs, Wilmer, Aye; Randall, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 90 - Representative Knudsen moved **SB 90** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, Randall, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Cook, Redfield.

Total 2

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: Schwaderer.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 360 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

HB 362 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

HB 363 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: B. Bennett, J. Bennett, Boland, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Gibson,

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Gursky, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

SB 5 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: Miller.

Total 1

SB 36 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

SB 75 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.

Total 4

Absent or not voting: None.

Total 0

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SB 141 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Boss Ribs, Randall, Warburton, Wilmer.
Total 4

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 490** be moved from the Taxation committee to the Business and Labor committee.

Majority Leader Vance moved **HB 504** be moved from the Human Services committee to the Judiciary committee.

Majority Leader moved **HB 284** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 420** be moved from the Committee of the Whole to the Appropriations committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned names be **ADDED** as sponsor to **HB 286**
Motion carried.

HB 286 (Brockie Chief Sponsor)
Calf Boss Ribs, Pease-Lopez, Peppers, Salomon, B. Smith, and Whitford.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Monday, February 18, 2013. Motion carried.

House adjourned at 9:30 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
February 18, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Greef. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/18/2013

Correctly printed: **HB 171, HB 281, HB 345, HB 404, HB 463, HB 469, HB 519, HB 520, HB 522, HB 523, HB 524, HB 525, HB 526, HB 527, HB 528, HB 529, HB 530, HB 531, HB 532, HB 533, HB 534, HJR 13.**

Correctly engrossed: **HB 322.**

Correctly enrolled: **HB 148.**

Examined by the sponsor and found to be correct: **HB 164.**

Transmitted to the Senate: **HB 360, HB 362, HB 363, SB 5, SB 36, SB 75, SB 141.**

Signed by the Speaker at 4:45 p.m., February 18, 2013: **HB 164.**

Signed by the Chief Clerk of the House at 4:58 p.m., February 18, 2013: **HB 164.**

Signed by the President at 5:08 p.m., February 18, 2013: **HB 164.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

2/18/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 9:45 a.m., Saturday, February 16, 2013:

Andrew McLane, Billings
Hannah Patrick, Great Falls
Brandi Berg, Havre
Will Smith, Great Falls
Rylee Doore, Cut Bank
Allie Nelson, Great Falls
Logan Naegeli, Trout Creek

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, February 18, 2013:

Ada Kelly, Great Falls
Jack Griffin, Billings/Steamboat Springs, CO
Carissa Lebsack, Fromberg
Rebecca Vondra, Billings
Makenizy Roberts, Belgrade

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Hallie Finnicum, Culbertson
Kendra Hoar, Butte
Josh Madany, Dillon

Report Adopted.

MOTIONS

Majority Leader Vance moved that the House would recess for the purpose of receiving an address from the Honorable Abraham Lincoln, the 16th President of the United States. Upon conclusion of the address, the House would reconvene. Motion carried.

Sergeant-At-Arms Spencer announced that the Honorable Abraham Lincoln awaited entrance into the Chamber.

Speaker Blasdel presented to the Legislators and the people of Montana the Great Emancipator, President Abraham Lincoln.

President Lincoln addressed the Montana House of Representatives and the Senate.

Speaker Blasdel thanked President Lincoln and asked the Sergeant-At Arms to escort the former President from the Chamber.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):	2/18/2013
HB 463 , do pass. Report adopted.	
HB 469 , do pass. Report adopted.	

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

HB 47 , introduced by McClafferty	2/16/2013
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Senate bill passed and transmitted to the House for concurrence:	2/16/2013
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SB 201, introduced by Hamlett

Senate joint resolution passed and transmitted to the House for concurrence:	2/16/2013
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SJR 10, introduced by Windy Boy

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FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 519, introduced by Neill, referred to Business and Labor.

HB 520, introduced by Hansen, Augare, Ballance, Bangerter, G. Bennett, Blasdel, Blyton, Clark, Driscoll, Greef, Ingraham, L. Jones, Laszloffy, Lavin, Lenz, Malek, F. Moore, Salomon, C. Smith, Taylor, Van Dyk, Vance, Wagoner, White, referred to State Administration.

HB 522, introduced by Schwaderer, Ballance, B. Bennett, Coffin, Doane, Edmunds, Fielder, Fiscus, Galt, Gursky, Harris, Hill, Jacobson, D. Jones, Kary, Kerns, Knudsen, Miller, D. Moore, O'Neil, Redfield, Sales, Salomon, C. Smith, Steenberg, White, Zolnikov, referred to Judiciary.

HB 523, introduced by Schwaderer, Fitzpatrick, C. Smith, White, Zolnikov, referred to Taxation.

HB 524, introduced by Clark, referred to Business and Labor.

HB 525, introduced by Knudsen, Hill, referred to Transportation.

HB 526, introduced by Hill, Edmunds, Larsen, D. Moore, referred to Taxation.

HB 527, introduced by Hill, Boland, Brockie, Curtis, Dudik, Gursky, MacDonald, McNally, Peppers, Price, B. Smith, Wilson, referred to Judiciary.

HB 528, introduced by Hill, Boland, Brockie, Calf Boss Ribs, Clark, Curtis, Dudik, Gursky, MacDonald, McNally, Peppers, Pomnichowski, Price, B. Smith, Wilmer, Wilson, referred to Judiciary.

HB 529, introduced by Harris, referred to State Administration.

HB 530, introduced by Hill, Boland, Calf Boss Ribs, Curtis, Dudik, Gursky, MacDonald, McNally, Peppers, Pomnichowski, Price, Wilmer, referred to State Administration.

HB 531, introduced by Lieser, referred to Local Government.

HB 532, introduced by Hollandsworth, referred to Taxation.

HB 533, introduced by Cook, referred to Fish, Wildlife and Parks.

HB 534, introduced by Williams, Hunter, McNally, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 13, introduced by Calf Boss Ribs, Brockie, Coffin, Dudik, Hill, Jacobson, MacDonald, McCarthy, McClafferty, Neill, Noonan, Pease-Lopez, Schreiner, Squires, Swanson, Wilmer, referred to Judiciary.

Majority Leader Vance announced the Republicans would caucus. Without objection so ordered.
Minority Leader Hunter announced the Democrats would stand at ease.

House Recessed at 1:25 p.m.

House Reconvened at 1:40 p.m..

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Halvorson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 345 - Representative C. Smith moved **HB 345** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: O'Neil.
Total 1

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 171 - Representative C. Smith moved **HB 171** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 404 - Representative Flynn moved **HB 404** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 34

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 281 - Representative C. Smith moved **HB 281** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones,

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Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson.

Total 36

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 322 - Representative Williams moved **HB 322**, second reading copy, be amended as follows:

1. Page 1, line 21 through line 22.

Strike: subsection (3) in its entirety

Insert: "(3) To reduce predation of livestock, the livestock loss board:

(a) shall use at least half of the money transferred into the account pursuant to subsection (2) on nonlethal, preventative measures; and

(b) may use at least half of the money transferred into the account pursuant to subsection (2) to contract with the U.S. department of agriculture wildlife services."

Amendment adopted as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Flynn, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 52

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance,

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Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 48

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 322 - Representative Cuffe moved **HB 322**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Greef, Harris, Ingraham, Jones, Kerns, Lynch, MacDonald, McNiven, Noonan, Peppers, Pomnichowski, Regier, Schreiner, White, Zolnikov.

Total 15

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Halvorson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Bennett.

Total 1

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Ankney, Lang, Shaw.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 66 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 69

Nays: J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Hagan, Halvorson, Harris, Howard, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Randall, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 30

Voted Absentee: None.

Excused: Warburton.

Total 1

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Absent or not voting: None.

Total 0

HB 95 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Berry, Brodehl, Doane, Edmunds, Fiscus, Flynn, Glimm, Hagstrom, Halvorson, Harris, Ingraham, Kerns, Miller, Osmundson, Randall, Redfield, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Zolnikov.

Total 24

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 148 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 163 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pease-Lopez, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Cook, Court, Curtis, Eck, Gursky, Hill, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, B. Smith, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 30

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 189 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

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Nays: J. Bennett, Berry, Cook, Doane, Fitzpatrick, Hagstrom, Jones, Kerns, O'Neil, Regier, C. Smith, Wagoner, Zolnikov.
Total 13

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 287 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 79

Nays: J. Bennett, Brodehl, Cuffe, Edmunds, Fiscus, Fitzpatrick, Flynn, Greef, Halvorson, Harris, Jones, Kary, Kerns, Miller, O'Neil, Randall, Schwaderer, Vance, White, Zolnikov.
Total 20

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 334 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,

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Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Harris, Randall, Wilson.

Total 3

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 367 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Clark.

Total 1

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Ankney.

Total 1

HB 371 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Hoven, Kerns, Lenz, Schwaderer.

Total 4

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 90 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

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MOTIONS

Majority Leader Vance moved **HB 97** be moved from the Committee of the Whole to the Joint Select Committee on Pensions committee.

Majority Leader Vance moved **HB 171** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 322** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 404** be moved from the Committee of the Whole to the Appropriations committee.

Representative Hill moved **HB 235** be moved from the Judiciary committee to the Committee of the Whole.

Motion Failed as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 45

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.

Total 54

Excused: Warburton.

Total 1

Voted Absentee: None

Absent or not voting: None.

Total 0

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UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HJR 12**
Motion carried.

HJR 12 (Blasdel Chief Sponsor)
Howard.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Tuesday, February 19, 2013. Motion carried.

House adjourned at 3:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
February 19, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Blyton. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/19/2013

Correctly printed: **HB 203, HB 286, HB 301, HB 335, HB 374, HB 388, HB 389, HB 402, HB 458, HB 535, HB 536, HB 537, HB 538, HB 539, HB 540, HB 541, HB 542, HB 543, HB 544, HB 545, HB 546, HB 547.**

Correctly engrossed: **HB 405, HB 414, HB 435, HJR 12.**

Correctly enrolled: **HB 36, HB 152, HB 155, HB 192.**

Examined by the sponsor and found to be correct: **HB 148.**

Transmitted to the Senate: **HB 66, HB 95, HB 163, HB 189, HB 287, HB 334, HB 367, HB 371, SB 90.**

Signed by the Speaker at 2:45 p.m., February 19, 2013: **HB 148.**

Signed by the Chief Clerk of the House at 3:02 p.m., February 19, 2013: **HB 148.**

Signed by the President at 4:00 p.m., February 19, 2013: **HB 148.**

Delivered to the Governor for approval at 8:18 a.m., February 19, 2013: **HB 164.**

Delivered to the Governor for approval at 4:25 p.m., February 19, 2013: **HB 148.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-first, twenty-second, twenty-third, twenty-fourth, and twenty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

2/18/2013

HB 405, introduced bill, be amended as follows:

1. Title, line 6 through line 9.

Strike: "PROVIDING" on line 6 through "LAWS;" on line 9

2. Title, line 12.

Following: "VIOLATIONS;"

Insert: "REVISING THE DEFINITION OF "BOTTLE CLUB";"

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3. Title, line 13.

Following: "AND"

Strike: "16-6-101"

Insert: "16-6-306"

4. Page 2, line 27 through page 3, line 10.

Strike: section 3 in its entirety

Insert: "**Section 3.** Section 16-6-306, MCA, is amended to read:

"16-6-306. Bottle clubs prohibited -- definition. (1) The operation of alcoholic beverage bottle clubs is hereby prohibited by ~~any person, persons, partnership, firm, corporation, or association. A bottle club is defined as any person, persons, partnership, firm, corporation, or association maintaining premises not licensed for the sale of alcoholic beverages, for a fee or other consideration, including the sale of food, mixes, ice, or any other fluids for alcoholic beverages, or otherwise furnishing premises for such purposes and from which they would derive revenue.~~

(2) For the purposes of this section, "bottle club" means a commercial enterprise that is open to the public, is not licensed or permitted for the sale of alcohol, and allows on-premises consumption of alcohol with or without consideration."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

2/18/2013

HB 435, introduced bill, be amended as follows:

1. Page 3, line 1.

Strike: "(5)"

Insert: "(6)"

2. Page 3, line 23 through line 28.

Strike: subsection (2) in its entirety

Insert: "(2) The department of commerce shall biennially designate each local government unit that has or expects to have within 2 years the rail transportation of coal through the local government unit in a number averaging at least eight loaded or unloaded coal trains each day.

(3) The department of commerce shall biennially designate each local government unit that is designated under subsections (1) and (2) and that has proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

Renumber: subsequent subsections

3. Page 4, line 29 through line 30.

Strike: subsection (9) in its entirety

Insert: "(10) In awarding funds, preference must be given to local government units based on the following order of priority:

(a) local government units that are designated under subsection (1);

(b) local government units that are designated under subsection (3); and

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(c) local government units that are designated under subsection (2) and that have proposed a railroad quiet zone under 49 CFR, parts 222 and 229."

4. Page 5, line 1.

Strike: "(10)"

Insert: "(11)"

Strike: "subsection (9)"

Insert: "subsections (10)(b) and (10)(c)"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):
HJR 12, do pass. Report adopted.

2/18/2013

TRANSPORTATION (Lavin, Chair):
HB 414, introduced bill, be amended as follows:

2/18/2013

1. Title, line 5.

Strike: The second "MONTANA"

Insert: "THE COUNTY WHERE THE ABODE IS LOCATED"

2. Page 2, line 18.

Following: "register"

Insert: "in the county where the abode is located"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/18/2013

SB 14, introduced by Wanzenried
SB 81, introduced by Lewis
SB 114, introduced by Taylor
SB 139, introduced by Walker
SB 189, introduced by Webb
SB 192, introduced by Wanzenried
SB 197, introduced by Boulanger
SB 238, introduced by Hamlett

MESSAGES FROM THE GOVERNOR

February 18, 2013

The Honorable Mark Blasdel

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HOUSE JOURNAL
THIRTY-SEVENTH LEGISLATIVE DAY - FEBRUARY 19, 2013

Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 34** sponsored by Representative Boland, **House Bill 41** sponsored by Representative Squires, and **House Bill 53** sponsored by Representative Ingraham on February 18, 2013.

Sincerely,

STEVE BULLOCK
Governor

MESSAGES FROM THE GOVERNOR

February 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 17** sponsored by Representative Hill, **House Bill 107** sponsored by Representative Lynch, and **House Bill 137** sponsored by Representative Dudik on February 19, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 458, introduced by Noonan, Kaufmann, referred to Human Services.

HB 535, introduced by G. Bennett, B. Bennett, Blasdel, Lieser, D. Moore, referred to Natural Resources.

HB 536, introduced by Wilmer, referred to Judiciary.

HB 537, introduced by Hansen, referred to State Administration.

HB 538, introduced by Gursky, B. Bennett, Curtis, Harris, Lieser, McNally, O'Hara, referred to State

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Administration.

HB 539, introduced by Edmunds, referred to State Administration.

HB 540, introduced by Lavin, referred to Federal Relations, Energy, and Telecommunications.

HB 541, introduced by D. Jones, referred to Local Government.

HB 542, introduced by Curtis, referred to Transportation.

HB 543, introduced by Dudik, Ankney, Ballance, Brockie, Coffin, Cook, Curtis, Doane, Eck, Ehli, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Osmundson, Pease-Lopez, Pomnichowski, Price, Schreiner, Shaw, Squires, Steenberg, Swanson, Wilson, Woods, referred to Judiciary.

HB 544, introduced by Reichner, referred to Business and Labor.

HB 545, introduced by Reichner, referred to Business and Labor.

HB 546, introduced by Hollandsworth, referred to Federal Relations, Energy, and Telecommunications.

HB 547, introduced by Glimm, Ballance, G. Bennett, Blasdel, Doane, Fitzpatrick, Knudsen, McChesney, Redfield, Shaw, C. Smith, Vance, Welborn, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Reichner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 47 - Senate Amendments - Representative McClafferty moved Senate amendments to **HB 47** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 203 - Representative Clark moved **HB 203** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 73

Nays: J. Bennett, Berry, Brodehl, Edmunds, Fitzpatrick, Glimm, Hagstrom, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.

Total 27

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 286 - Representative Brockie moved **HB 286** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Flynn, Greef, Harris, Howard, Kerns,

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Miller, O'Neil, Schwaderer, C. Smith, Warburton, Welborn, Zolnikov.

Total 17

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 301 - Representative Halvorson moved **HB 301** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: Fitzpatrick, Kary, Kerns, Miller, O'Neil, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 10

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 335 - Representative Eck moved **HB 335** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,

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Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 374 - Representative Fitzpatrick moved **HB 374** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 388 - Representative Cuffe moved **HB 388** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Edmunds, Kerns, Pomnichowski, Salomon, C. Smith, Warburton, Welborn, Zolnikov.

Total 8

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 389 - Representative Mehlhoff moved **HB 389** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 402 - Representative Hunter moved **HB 402** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Bangerter, Harris, McNiven, Reichner, C. Smith, Warburton.

Total 6

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Reichner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Gibson, Squires.

Total 2

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Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Hagstrom.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 281 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson.

Total 32

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 345 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser,

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Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: McClafferty, Noonan, O'Neil.

Total 3

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Lang.

Total 1

SB 47 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Flynn, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: Ballance, Brodehl, Doane, Edmunds, Ehli, Galt, Glimm, Greef, Howard, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Zolnikov.

Total 19

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

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MOTIONS

Representative Brockie moved to change her vote on **HB 286** from Not Voting to Yes. Without objection, so ordered.

Majority Leader Vance moved **HB 286** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 402** be moved from the Committee of the Whole to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Broedehl made an announcement on behalf of former Representative Scott Mendenhall that the 2013 (53rd annual) Montana Governor's Prayer Breakfast would be held, Saturday, March 2nd at the Carroll College Commons.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 20, 2013. Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
THIRTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
February 20, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Connell, Osmundson, Pease-Lopez and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/20/2013

Correctly printed: **HB 170, HB 254, HB 255, HB 359, HB 391, HB 392, HB 395, HB 396, HB 422, HB 438, HB 446, HB 448, HB 455, HB 459, HB 460, HB 463, HB 464, HB 469, HB 501, HB 515, HB 548, HB 549, HB 550, HB 551, HB 552, HB 553, HB 554, HB 555, HB 556, HB 557, HB 558, SB 123.**

Correctly engrossed: **HB 314, HB 368, HB 369, HB 375, HB 385, HB 415, HB 421, HB 440, HB 450, HB 462.**

Correctly enrolled: **HB 18, HB 47, HB 114, HB 115, HB 138, HB 141, HB 202.**

Examined by the sponsor and found to be correct: **HB 36, HB 152, HB 155, HB 192.**

Transmitted to the Senate: **HB 281, HB 345, SB 47.**

Signed by the Speaker at 3:25 p.m., February 20, 2013: **HB 36, HB 152, HB 155, HB 192.**

Signed by the Chief Clerk of the House at 3:47 p.m., February 20, 2013: **HB 36, HB 152, HB 155, HB 192.**

Signed by the President at 9:00 a.m., February 21, 2013: **HB 36, HB 152, HB 155, HB 192.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

2/19/2013

HB 375, introduced bill, be amended as follows:

1. Page 1, line 13.

Following: "program"

Insert: "-- legislative intent"

Following: "."

Insert: "(1) The legislature intends that reimbursements made pursuant to this section aid in the conservation of wildlife by protecting private landowners who provide critical wildlife habitat."

Renumber: subsequent subsections

2. Page 9, line 8.

Following: "funding."

Insert: "(1)"

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3. Page 9, line 9.

Strike: "[section 1] and"

4. Page 9, line 11.

Following: line 10

Insert: "(2) The department shall use money from the federal special revenue fund described in 87-1-601(3) to implement [section 1]."

And, as amended, do pass. Report adopted.

HB 395, do pass. Report adopted.

HB 396, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/19/2013

HB 415, introduced bill, be amended as follows:

1. Title, line 5.

Strike: "GRANTING" through "AUTHORITY;"

2. Page 1, line 11.

Strike: "8"

Insert: "7"

3. Page 1, line 13.

Strike: "8"

Insert: "7"

4. Page 1, line 15.

Strike: "8"

Insert: "7"

5. Page 1, line 19.

Strike: "8"

Insert: "7"

6. Page 1, line 20.

Strike: "8"

Insert: "7"

7. Page 1, line 24.

Strike: "8"

Insert: "7"

8. Page 2, line 3.

Strike: "8"

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Insert: "7"

9. Page 2, line 27.

Strike: "8"

Insert: "7"

10. Page 4, line 28.

Following: "period"

Insert: ", so long as no benefits have been provided"

11. Page 5, line 14.

Following: "3(3)"

Strike: ", "

Insert: "and"

Strike: ", and 8"

12. Page 5, line 18 through line 27.

Strike: strike section 8 in its entirety

Renumber: subsequent sections

13. Page 7, line 22.

Strike: "8"

Insert: "7"

14. Page 7, line 24.

Strike: "8"

Insert: "7"

15. Page 7, line 25.

Strike: "Title 31, chapter 1, and the provisions of Title 31, chapter1"

Insert: "Title 30, chapter 14, part 1, and the provisions of Title 30, chapter 14, part 1"

16. Page 7, line 26.

Strike: "8"

Insert: "7"

And, as amended, do pass. Report adopted.

HB 450, introduced bill, be amended as follows:

1. Page 2, line 1 through line 4.

Strike: "If" on line 1 through "accident" on line 4

Insert: "After a motor vehicle accident, if coverage exists under one or more motor vehicle liability policies and one or more disability insurance policies, member contracts, health benefit

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plans, or group health plans, payment must be made in the following order of priority"

2. Page 2, line 12 through line 13.

Strike: "medical" on line 12 through "charges" on line 13

Insert: "covered medical expenses must be paid according to the terms of the applicable policy"

3. Page 2, following line 13.

Insert: "(3) Subject to the terms of the applicable policy, claims made under this section must be paid in the order presented or demanded with supporting documentation evidencing the existence and amount of damages. Claims include but are not limited to medical expenses and lost wages."

4. Page 2, line 28 through line 29.

Strike: section 3 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 460, do pass. Report adopted.

HB 464, do pass. Report adopted.

HB 501, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/19/2013

HB 440, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "87-1-209"

Insert: ", 87-1-230,"

2. Page 5.

Following: line 21

Insert: "**Section 3.** Section 87-1-230, MCA, is amended to read:

"87-1-230. (Temporary) Maintenance account -- annual report. (1) There is a maintenance account in the state special revenue fund. In addition to the funds set aside for maintenance of land or water acquired by the department pursuant to 87-1-209(1), the department shall also deposit into the maintenance account:

(a) funds dedicated for development and maintenance of real property used for wildlife habitat under 87-1-242(4)(a)(5)(a);

(b) interest earned on the account; and

(c) any other money that the department considers appropriate or necessary for maintenance of the department's land or water.

(2) Funds deposited in the account are statutorily appropriated, as provided in 17-7-502,

to the department and may be used only for maintenance of any land or water acquired by the department.

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(3) (a) The department shall provide an annual report regarding deposits into and withdrawals from the account established in subsection (1) to the oversight subcommittee of the environmental quality council for the purpose of demonstrating the use of funds in the account toward the good neighbor policy.

(b) The report must describe the types of maintenance completed by fish, wildlife, and parks region and maintenance plans for the subsequent fiscal year.

(c) The report is due to the environmental quality council by September 1 following the end of each fiscal year. (Terminates June 30, 2013--sec. 8, Ch. 427, L. 2009.)"

Renumber: subsequent sections

3. Page 5, line 25.

Strike: "maintenance"

4. Page 5, line 27.

Following: "and to"

Insert: "secure, develop, and"

Following: "habitat"

Strike: ", "

Insert: "in accordance with this section and"

5. Page 6, line 11.

Strike: "Eighty"

Insert: "Fifty-five"

6. Page 6, line 12.

Following: "~~87-1-209~~"

Insert: "secure wildlife habitat pursuant to 87-1-209.

(4) Twenty-five percent of the money allocated by this section, together with the interest and income from the money, must be used to"

Renumber: subsequent subsections

7. Page 6, line 14 through line 15.

Strike: "from the sale" on line 14 through "subsection (1)" on line 15

Insert: "allocated by this subsection"

8. Page 6, line 20.

Strike: "(4)(a)"

Insert: "(5)(a)"

And, as amended, do pass. Report adopted.

SB 123, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

2/20/2013

HB 369, introduced bill, be amended as follows:

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1. Title, page 1, line 8.

Following: "COURT;"

Insert: "REQUIRING A PARTY TO PAY DISTRICT COURT FEES UPON REMOVAL;"

2. Page 1, following line 28.

Insert: "(c) Upon receiving notice of removal, the justices' court, municipal court, city court, or small claims division of a justices' court shall immediately transmit the pleadings and all papers in the action to the clerk of the district court."

3. Page 1, following line 30.

Insert: "(5) A party who files a notice to remove a civil action to district court under this section shall pay all costs and fees of filing the papers in the district court pursuant to 25-1-201."

And, as amended, do pass. Report adopted.

HB 385, introduced bill, be amended as follows:

1. Page 3, line 28.

Following: "~~part 4~~"

Insert: ", including but not limited to any of the following activities:

- (a) criminal production or manufacture of dangerous drugs as prohibited by 45-9-110;
- (b) operation of an unlawful clandestine laboratory as prohibited by 45-9-132;
- (c) gang-related activities as prohibited by Title 45, chapter 8, part 4;
- (d) unlawful possession of a firearm, explosive, or hazardous or toxic substance; or
- (e) any activity that is otherwise prohibited by law"

2. Page 4, line 26.

Following: "rental agreement"

Insert: "immediately"

3. Page 4, line 27.

Strike: "3 days"

4. Page 4, following line 27.

Insert: "(5) If a tenant violates the provisions of 70-24-321(3) and written notice specifying the violation has been provided to the court, the court shall within 24 hours of receiving notice issue an order for possession in favor of the landlord and a writ of assistance to the county sheriff to deliver possession to the landlord."

Renumber: subsequent subsections

5. Page 4, line 30.

Strike: "(6)"

Insert: "(7)"

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6. Page 5, line 9.

Strike: "20"

Insert: "3 business"

7. Page 5, line 13.

Strike: "20"

Insert: "3 business"

8. Page 5, line 19.

Strike: "5"

Insert: "3 business"

And, as amended, do pass. Report adopted.

HB 391, do pass. Report adopted.

HB 438, do pass. Report adopted.

HB 459, do pass. Report adopted.

HB 462, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "IMMEDIATE"

2. Page 3, line 24.

Strike: "on passage and approval"

Insert: "July 1, 2013"

And, as amended, do pass. Report adopted.

HB 515, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

2/19/2013

HB 314, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Following: "PROTEST;"

Insert: "REQUIRING A PROTEST FORM TO BE SENT TO PROPERTY OWNERS IN THE PROPOSED DISTRICT;"

2. Title, page 1, line 15.

Following: "A SPECIAL DISTRICT;"

Insert: "REVISING SPECIAL DISTRICT COST ESTIMATE AND ASSESSMENT DATES;"

3. Title, page 1, line 15 through line 16.

Strike: "PROHIBITING CERTAIN SPECIAL DISTRICTS FROM MAKING ASSESSMENTS UNTIL

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COMPLYING WITH THE ACT;"

4. Title, page 1, line 18.

Following: "EFFECTIVE DATE"

Insert: "AND AN APPLICABILITY DATE"

5. Page 2, line 19.

Following: "and"

Insert: "either"

Following: "the"

Insert: "street"

Following: "address"

Insert: "or the legal description, whichever the signatory prefers,"

6. Page 4, line 16.

Following: "from"

Insert: "either"

7. Page 4, line 17.

Following: "intention"

Insert: "or the date the protest form provided for in subsection (2)(c) was sent to property owners, whichever is later,"

8. Page 4, line 19.

Following: "(2)"

Insert: "(a) A property owner may register a written protest under either subsection (2)(b) or (2)(c).
(b) A property owner may register a written protest in any format in conformity with this section."

Strike: "be in writing,"

Following: "protestor"

Insert: "by either its street address or its legal description, whichever the property owner prefers"

9. Page 4, line 22.

Following: line 21

Insert: "(c) The governing body shall send each person referred to in 7-11-1007(3)(c) a protest form with space for any information required under subsection (2)(b) of this section, mailing instructions, and the date the form must be returned to the governing body. The form must specify that if it is not returned, the owner's lack of action must be construed as support of the creation of the special district. The form must allow a property owner to select either support for or opposition against the creation of the district. However, if an owner does not make a selection of support or opposition and returns the form to the governing body, it must be construed as a protest of the creation of the special district."

10. Page 8, line 28.

Following: "first Thursday"

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Insert: "after the first Tuesday"

11. Page 9, line 5 through line 6.

Strike: subsection (c) in its entirety

12. Page 9, line 24.

Following: ~~"third Monday in August"~~

Insert: "later of the"

Following: "first Thursday"

Insert: "after the first Tuesday"

13. Page 9, line 27 through line 30.

Strike: section 10 in its entirety

Renumber: subsequent sections

14. Page 10.

Following: line 9

Insert: "NEW SECTION. **Section 13. Applicability.** [This act] applies to special districts created on or after [the effective date of this act]."

And, as amended, do pass. Report adopted.

HB 368, introduced bill, be amended as follows:

1. Page 1, line 12.

Following: "(1)"

Insert: "(a)"

2. Page 1, line 13.

Strike: "reasonably believes"

Insert: "has clear and convincing evidence"

3. Page 1, line 15.

Strike: "24"

Insert: "48"

Strike: "the occurrence of events upon which"

Strike: "formed that belief"

Insert: "obtained that evidence"

4. Page 1, line 16.

Following: "~~premises~~"

Insert: "immediately remove the abandoned property from the premises and"

5. Page 1, line 16 through line 17.

Strike: "the landlord reasonably believes"

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Insert: "that"

6. Page 1, lines 17 and.

Strike: "and abandoned" on line 17

Strike: "Any" on line 17 through "abandoned." on line 18

7. Page 1, line 19.

Following: line 18

Insert: "(b) An item that is clearly labeled "rent to own" or "leased" or likewise identified may be discarded only with confirmation from the lessor that the item does not have a lien, provided that the lessor can be easily identified from the label and the landlord makes a reasonable effort to contact the lessor.

(c) For the purposes of this subsection (1), the following definitions apply:

(i) "Hazardous" means any item that is potentially or actually flammable, a biohazard, or an item otherwise capable of inflicting personal harm or injury.

(ii) "Perishable" means any item requiring refrigeration or any food item with a marked expiration date.

(iii) "Valueless" means any item that has an insubstantial resale value but does not include personal photos, jewelry, or other small items that are irreplaceable."

8. Page 2, line 1.

Strike: "7"

Insert: "10"

9. Page 2, line 25.

Following: line 24

Insert: "(9) The landlord shall ensure that the terms of this section are included in plain and understandable language as a notification in any lease or rental agreement at the time of the agreement or when the tenant occupies the property. The landlord shall provide the same notification upon termination of the lease or rental agreement."

And, as amended, do pass. Report adopted.

HB 421, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "48"

Insert: "72"

2. Page 1, line 14.

Following: "~~48 hours~~"

Insert: "for a period longer than 48 hours"

Strike: "48"

Insert: "72"

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3. Page 1, line 26.

Following: "on"

Insert: "for a period of 72 hours or more"

4. Page 2, line 11.

Strike: "48-hour"

Insert: "72-hour"

5. Page 2, line 12.

Strike: "48-hour"

Insert: "72-hour"

And, as amended, do pass. Report adopted.

HB 422, do pass. Report adopted.

HB 455, do pass. Report adopted.

SB 41, be amended as follows:

1. Page 2, line 21.

Following: "consider the"

Insert: "mitigation of an"

2. Page 2, line 23.

Following: "DEVELOPMENT."

Insert: "The provisions of this subsection do not limit the authority of a local governing body to enforce subdivisions regulations pursuant to 76-3-501."

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/20/2013

HB 448, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/19/2013

SB 118, introduced by Thomas

SB 198, introduced by Thomas

SB 230, introduced by Wanzenried

SB 252, introduced by Rosendale

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House bills concurred in and returned to the House:

2/19/2013

HB 36, introduced by Boland
HB 152, introduced by Fitzpatrick
HB 155, introduced by D. Moore
HB 192, introduced by Hagan

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 548, introduced by Zolnikov, referred to Transportation.
HB 549, introduced by Whitford, Augare, Brockie, Calf Boss Ribs, Pease-Lopez, Peppers, B. Smith, Stewart-Peregoy, referred to Education.
HB 550, introduced by Gursky, Curtis, Dudik, Jacobson, D. Moore, Pease-Lopez, referred to Judiciary.
HB 551, introduced by Flynn, referred to Federal Relations, Energy, and Telecommunications.
HB 552, introduced by Neill, referred to State Administration.
HB 553, introduced by Halvorson, Brenden, Doane, Knudsen, Rosendale, referred to Natural Resources.
HB 554, introduced by B. Smith, referred to State Administration.
HB 555, introduced by Hill, referred to Judiciary.
HB 556, introduced by Cuffe (by request of the House Joint Appropriations Subcommittee on Natural Resources and Transportation), referred to Appropriations.
HB 557, introduced by Court, referred to State Administration.
HB 558, introduced by Lenz, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 170 - Representative Galt moved **HB 170** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn,

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Welborn, White, Zolnikov, Mr. Speaker.

Total 65

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: Connell, Osmundson, Warburton, Aye; Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 254 - Representative Cook moved **HB 254** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Brodehl, Flynn, Galt, Halvorson, Hansen, Hoven, Howard, Kerns, Knudsen, O'Neil, Osmundson, Regier, C. Smith, Vance, Warburton, Zolnikov.

Total 18

Voted Absentee: Connell, Pease-Lopez, Aye; Osmundson, Warburton, No.

Excused: None.

Total 0

Absent or not voting: Ingraham.

Total 1

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HB 255 - Representative Cook moved **HB 255** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 61

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Squires, Vance, Wagoner, Warburton, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: Connell, Pease-Lopez, Aye; Osmundson, Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 359 - Representative Fitzpatrick moved **HB 359** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Connell, Osmundson, Warburton, Aye; Pease-Lopez, No.

Excused: None.

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Total 0

Absent or not voting: Ankney, Mr. Speaker.

Total 2

HB 392 - Representative Doane moved **HB 392** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Connell, Osmundson, Warburton, Aye; Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

HB 446 - Representative Schwaderer moved **HB 446** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Clark, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

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Voted Absentee: Connell, Osmundson, Warburton, Aye; Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 - Representative G. Bennett moved **HB 463** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Kerns, Miller, Schwaderer, Zolnikov.

Total 4

Voted Absentee: Connell, Osmundson, Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 469 - Representative Fitzpatrick moved **HB 469** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 100

Nays: None.

Total 0

Voted Absentee: Connell, Osmundson, Pease-Lopez, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Boland, Dudik, Pomnichowski, Schreiner, B. Smith, Squires, Williams.

Total 8

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

Total 4

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 47 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

Total 4

Absent or not voting: None.

Total 0

HB 203 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 69

Nays: J. Bennett, Brodehl, Edmunds, Fitzpatrick, Flynn, Glimm, Greef, Hagstrom, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Zolnikov, Mr. Speaker.

Total 27

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

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Total 4

Absent or not voting: None.

Total 0

HB 301 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Fitzpatrick, Kary, Kerns, O'Neil, Redfield, C. Smith, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

Total 4

Absent or not voting: None.

Total 0

HB 335 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

Total 4

Absent or not voting: Hagstrom, McClafferty.

Total 2

HB 374 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.

Total 4

Absent or not voting: Greef.

Total 1

HB 388 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

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Nays: Edmunds, Jones, Kerns, O'Neil, Pomnichowski, Salomon, C. Smith, Zolnikov.
Total 8

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.
Total 4

Absent or not voting: None.
Total 0

HB 389 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Jacobson.
Total 1

Voted Absentee: None.

Excused: Connell, Osmundson, Pease-Lopez, Warburton.
Total 4

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Representative Knudsen announced that The 2013 Blue Jean Special Train ride is scheduled for March 9th. The ride offers Legislators and their families the chance to experience train travel and learn about train safety and operations. It's a chance to kick back and enjoy the scenery between Helena and Avon, Montana. The sign-up list is in the Chief Clerk's office.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Thursday, February 21, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
THIRTY-NINTH LEGISLATIVE DAY**

Helena, Montana
February 21, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Connell. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/21/2013

Correctly printed: **HB 8, HB 205, HB 274, HB 302, HB 304, HB 368, HB 411, HB 414, HB 422, HB 429, HB 433, HB 457, HB 489, HB 505, HB 522, HB 559, HB 560, HB 561, HB 562, HB 563, HB 564, HB 565, HB 566, HB 567, HB 568.**

Correctly engrossed: **HB 3, HB 39, HB 216, HB 229, HB 265, HB 313, HB 355, HB 378, HB 410, HB 417, HB 431, HB 444, HB 445, HB 447, HB 488.**

Correctly enrolled: **HB 169, HB 193.**

Examined by the sponsor and found to be correct: **HB 18, HB 138, HB 141, HB 202.**

Transmitted to the Senate: **HB 203, HB 301, HB 335, HB 374, HB 388, HB 389.**

Delivered to the Governor for approval at 9:42 a.m., February 21, 2013: **HB 36, HB 152, HB 155, HB 192.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

2/20/2013

HB 3, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "\$34,677,678"

Insert: "\$38,699,927"

2. Page 1, line 23.

Strike: "\$219,437"

Insert: "\$43,037"

3. Page 1, line 24.

Strike: "\$106,873"

Insert: "\$60,611"

4. Page 1, line 26.

Strike: "\$384,639"

Insert: "\$276,061"

5. Page 1, line 30.

Strike: "\$1,000,000"

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Insert: "\$2,000,000"

6. Page 2, line 1.

Strike: "\$26,800,000"

Insert: "\$13,400,000"

7. Page 2, line 3.

Strike: "\$2,300,000"

Insert: "\$3,000,000"

8. Page 2, lines 10 and 11.

Strike: subsection (2) in its entirety

Insert: "(2) By August 1, 2013, any supplemental funds appropriated to the department of natural resources and conservation for the purpose of fire suppression that remain unencumbered after July 1, 2013, must be transferred by the state treasurer to the fire suppression account provided for in 76-13-150."

And, as amended, do pass. Report adopted.

HB 274, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/21/2013

HB 488, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REVENUE"

Insert: "JUSTICE"

2. Title, line 6.

Following: "HOTLINE;"

Insert: "PROVIDING THAT THE DEPARTMENT ESTABLISH BY RULE PERSONS AND ENTITIES THAT SHOULD RECEIVE COPIES OF THE POSTER FOR DISPLAY; AND"

3. Title, line 6.

Strike: "CERTAIN ESTABLISHMENTS AND"

4. Title, line 7.

Strike: "; AND PROVIDING FOR PENALTIES"

5. Page 1, line 11.

Strike: "notice -- penalty"

Insert: "rulemaking"

6. Page 1, line 12.

Following: "department"

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Insert: "of justice"

7. Page 1, line 29.

Following: "department"

Insert: "of justice"

8. Page 1, line 29 through line 30.

Strike: "a licensee" on line 29 through "licensee," on line 30

9. Page 1, line 30.

Following: "poster"

Insert: "to persons and entities that the department of justice determines by rule should receive the poster"

10. Page 2, line 2.

Strike: "Any " through "shall"

Insert: "The department of justice shall request that any person or entity receiving a copy of the poster"

11. Page 2, line 4 through line 5.

Strike: subsection (4) in its entirety

12. Page 2, line 9.

Strike: "revenue"

Insert: "justice"

13. Page 2, line 13.

Strike: "16" in two places

Insert: "44" in two places

And, as amended, do pass. Report adopted.

HB 489, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/20/2013

HB 39, introduced bill, be amended as follows:

1. Title, page 1, line 10 through line 12.

Strike: "REVISING THE ALLOCATION" on line 10 through "ACCOUNT;" on line 12

2. Title, page 1, line 15.

Strike: "20-9-310" through "20-9-517,"

Following: "PROVIDING"

Insert: "AN"

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3. Title, page 1, line 16.

Strike: "DATES,"

Insert: "DATE AND"

Strike: ", AND A TERMINATION DATE"

4. Page 1, line 26 through line 27.

Strike: "by April" on line 26 through "applies." on line 27

Insert: "and must include a provision specifying terms upon which a district may exit the multidistrict cooperative. The agreement may be for a period of up to 3 years."

5. Page 3, line 8 through line 12.

Strike: "as follows" on line 8 through "." on line 12

Insert: "to the school facility and technology account."

6. Page 4, line 1.

Strike: "(5) and"

Following: "(6)"

Insert: "and (7)"

7. Page 4, line 6.

Strike: "(5)"

Insert: "(6)"

8. Page 4, following line 10.

Insert: "(5) Any unreserved fund balance in excess of 15% of a school district's maximum general fund budget must be remitted to the state and allocated to the school facility and technology account."

Renumber: subsequent subsections

9. Page 4, line 19.

Insert: "(8) Any amounts remitted to the state under subsection (5) are not considered expenditures to be applied against budget authority."

10. Page 5, line 17.

Strike: "state or"

11. Page 5, line 18.

Strike: "state or"

12. Page 7, line 15 through page 11, line 21.

Strike: section 5 through section 8 in their entirety

Renumber: subsequent sections

13. Page 11, line 24.

Strike: "Temporary"

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14. Page 11, line 25.

Strike: "(6)"

Insert: "(7)"

15. Page 11, line 27.

Strike: "(6)"

Insert: "(7)"

16. Page 11, line 30.

Strike: "30%"

Insert: "50%"

17. Page 12, line 2.

Strike: "\$50"

Insert: "\$65"

18. Page 12, line 12.

Strike: "governing body of the"

Following: "county"

Insert: "treasurer"

19. Page 12, line 13 through 14.

Following: "in the county"

Insert: "based on the ratio that each district's average number belonging bears to the county average number belonging for the school year. A school district receiving this money may deposit the funds in any budgeted fund of the district at the discretion of the trustees"

Strike: "The county" on line 13 through "appropriate." on line 14

20. Page 13, line 3.

Strike: section 10 in its entirety

Renumber: subsequent sections

21. Page 14, line 22 through 24.

Strike: "dates"

Insert: "date"

Strike: "(1) Except" through "[this act]"

Insert: "[This act]"

Strike: subsection (2) in its entirety

22. Page 14, line 29.

Strike: section 14 in its entirety

And, as amended, do pass. Report adopted.

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HB 313, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "LAWS"

Insert: ";

Strike: "TO PROVIDE AND CLARIFY"

Insert: "CLARIFYING"

2. Title, page 1, line 6.

Following: "SECTIONS"

Insert: "20-5-104, 20-5-105, "

Following: "20-5-106"

Insert: ";

3. Title, page 1, line 7.

Strike: "IMMEDIATE"

4. Page 1, following line 9.

Insert: "**Section 1.** Section 20-5-104, MCA, is amended to read:

"20-5-104. Attendance officer. In order to enforce the compulsory attendance provisions of this title, each district shall have at least one person serving as an attendance officer according to the following requirements:

(1) districts of the first and second class and districts of the second class with a dropout rate higher than the statewide average dropout rate as calculated by the office of public instruction shall employ and appoint one or more of the district's staff as attendance officers;

(2) districts of the second class with a dropout rate at or below the statewide average dropout rate as calculated by the office of public instruction and districts of the third class may employ and appoint an one or more of the district's staff as attendance officer or may appoint a constable or other peace officer as an attendance officer officers; or

(3) the county superintendent ~~shall~~ must be the attendance officer in second-class or third-class districts that do not appoint an attendance officer."

Insert: "**Section 2.** Section 20-5-105, MCA, is amended to read:

"20-5-105. Attendance officer -- powers and duties. The attendance officer of a district:

(1) must, subject to district policy, be vested with police powers, the authority to serve warrants, and the authority to enter places of employment of children in order to enforce the compulsory attendance provisions of this title;

(2) ~~shall~~ may, subject to district policy, take into custody any child subject to compulsory attendance who is not excused under the provisions of this title and conduct the child to the school in which the child is or should be enrolled;

(3) ~~shall~~ may, subject to district policy, do whatever else is required to investigate and enforce the compulsory attendance provisions of this title and the pupil attendance policies of the trustees;

(4) ~~shall~~ may, subject to district policy, institute proceedings against any parent, guardian, or other person violating the compulsory attendance provisions of this title;

(5) ~~shall~~ may, subject to district policy, keep a record of transactions for the inspection and

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information of the trustees and shall make reports in the manner and to whomever the trustees designate; and

(6) ~~shall~~ may, subject to district policy, perform any other duties prescribed by the trustees to preserve the morals and secure good conduct of the pupils of the district."

Renumber: subsequent sections

5. Page 1, line 12.

Following: "means the"

Insert: "persistent"

6. Page 1, line 13.

Following: "excuse"

Insert: ", as defined by district policy,"

Strike: "or period"

Following: "day"

Insert: "equivalent to the length of one class period"

7. Page 1, line 14.

Following: "child"

Insert: "is"

8. Page 1, line 16 through line 17.

Strike: "on 3" on line 16 through "shall" in line 17

Insert: ", the attendance officer may"

9. Page 1, line 19.

Strike: "person's"

Following: "prosecution"

Insert: "of the parent, guardian, or other person responsible for the care of the child"

10. Page 1, line 21.

Strike: "person has received the notice or"

Insert: "attendance officer has made"

Strike: "person has been made"

Insert: "parent, guardian, or other person responsible for the care of the child"

11. Page 1, line 22.

Strike: "shall" through "or"

Insert: "may"

12. Page 1, line 23.

Strike: "person"

Insert: "parent, guardian, or other person responsible for the care of the child"

Following: "and"

Insert: "the"

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Following: "plan"

Insert: "to address and resolve the truancy"

13. Page 1, line 24.

Strike: "person and child fail"

Insert: "parent, guardian, or other person responsible for the care of the child fails"

Strike: "comply with"

Insert: "fails to uphold the responsibilities under"

14. Page 1, line 25.

Strike: "shall" through "jurisdiction"

Insert: "may refer the matter to the prosecuting attorney in a court of competent jurisdiction for a determination regarding whether to prosecute the parent, guardian, or other person responsible for the care of the child"

15. Page 1, line 26.

Strike: "less" through "or"

Following: "\$100,"

Insert: "ordered to perform up to 20 hours of community service,"

16. Page 1, line 27.

Strike: "required" through "day,"

17. Page 1, line 29 through line 30.

Strike: "to" on line 29 through "that school" on line 30

Insert: "to cooperate with the district in implementing the truancy plan provided for in subsection (2)"

18. Page 2, line 1.

Strike: "refuses" through "court,"

Insert: "fails to comply with an order of the court issued under subsection (3)(a),"

19. Page 2, line 2.

Strike: "shall"

Insert: "may"

Strike: "less than 10 days or"

Strike: "30"

Insert: "3"

20. Page 2, line 3 through line 4.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

21. Page 2, line 5.

Strike: "the penalties" through "and"

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22. Page 2, line 6.

Strike: "10"

Insert: "9"

Strike: "50"

Insert: "54"

Strike: "or periods"

23. Page 2, line 8.

Strike: "An"

Insert: "Following a referral to youth court under subsection (4)(a), an"

24. Page 4, line 9.

Strike: "10"

Insert: "9"

Strike: "50"

Insert: "54"

25. Page 4, line 10.

Strike: "or periods"

Following: "day"

Insert: ", whichever is less,"

26. Page 7, line 19.

Strike: "on passage and approval"

Insert: "July 1, 2013"

And, as amended, do pass. Report adopted.

HB 378, introduced bill, be amended as follows:

1. Title, line 7.

Following: "PAYMENT;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 4, line 8.

Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated to the office of public instruction the amount of \$1 from the general fund for fiscal year 2014 for the purposes of [section 1]."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 447, introduced bill, be amended as follows:

1. Page 1, line 16.

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Strike: "native"
Insert: "resident"

2. Page 1, line 20.
Strike: "\$2,500"
Insert: "\$500"

3. Page 2, line 1 through line 2.
Strike: "board" on line 1 through "\$250,000" on line 2
Insert: "department of military affairs \$50,000 for the biennium ending June 30, 2015"

And, as amended, do pass. Report adopted.

HB 457, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 2/21/2013
HB 417, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 7.
Strike: the second "ALLOWING" on line 6 through "ORDER;" on line 7

2. Title, page 1, line 10.
Strike: "70-30-202,"

3. Page 2, line 18 through line 25.
Strike: section 3 in its entirety
Renumber: subsequent sections

4. Page 5, line 7.
Following: "jury"
Insert: "sitting without a jury"

And, as amended, do pass. Report adopted.

HB 431, introduced bill, be amended as follows:

1. Page 1, line 14 through line 15.
Following: "use" on line 14
Strike: ", including" on line 14 through "use" on line 15

2. Page 1, line 28.
Strike: "in good faith"

3. Page 1, line 29.
Following: "negotiate"

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Insert: "in good faith"

And, as amended, do pass. Report adopted.

HUMAN SERVICES (Howard, Chair): 2/21/2013
HB 101 be re-referred from the Human Services committee to the Appropriations committee.
Report adopted.

JUDICIARY (Kerns, Chair): 2/21/2013
HB 433, do pass. Report adopted.
HB 505, do pass. Report adopted.
HB 522, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 2/21/2013
HB 229, introduced bill, be amended as follows:

1. Title, page 1, lines 5 through 6.
Strike: "CAMPAIGN" on line 5
Insert: "CERTAIN UNLIMITED POLITICAL PARTY"
2. Title, page 1, line 6.
Strike: "FROM CORPORATIONS"
3. Title, page 1, line 6 through line 7.
Strike: "CAMPAIGN" on line 6 through "BY A" on line 7
Insert: "RECEIPTS FROM"
Following: "POLITICAL"
Strike: "COMMITTEE"
Insert: "COMMITTEES"
4. Title, page 1, line 7.
Strike: "SECTIONS 13-37-128 AND"
Insert: "SECTION"
5. Title, page 1, line 8.
Strike: "SECTIONS 13-35-227 AND"
Insert: "SECTION"
6. Page 1, line 12 through page 1, line 21.
Strike: Section 1 in its entirety
Renumber: subsequent sections
7. Page 1.
Following: "by" on line 26
Insert: "a political committee or by"

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8. Page 2, line 4.

Following: "~~(2) (a)~~"

Insert: "(2) (a)"

9. Page 2, line 29.

Following: line 28

Insert: "(b) A leadership political committee maintained by a political officeholder is considered to be organized on the political officeholder's behalf.

(3) All political committees except those of political party organizations are subject to the provisions of subsections (1) and (2). For purposes of this subsection, "political party organization" means any political organization that was represented on the official ballot at the most recent gubernatorial election. Except as provided by 2 U.S.C. 441a for contributions to a federal candidate, as that statute reads on [the effective date of this act], a political committee of a political party organization is not subject to aggregate contribution limits for each election in a campaign."

10. Page 2, lines 29 through 30

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

11. Page 3, line 8.

Strike: "sections"

Insert: "section"

Strike: "are"

Insert: "is"

12. Page 3, line 10.

Strike: line 10 in its entirety

And, as amended, do pass. Report adopted.

HB 265, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "ORGANIZATIONS;"

Insert: "REVISING THE DEFINITION OF "ELECTION" FOR THE PURPOSES OF DETERMINING CONTRIBUTION LIMITS;"

2. Page 1, line 30.

Following: "election"

Insert: "cycle"

3. Page 2, line 3.

Strike: "\$2,500"

Insert: "\$2,000"

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4. Page 2, line 5.

Strike: "\$1,500"

Strike: "\$1,000"

5. Page 2, line 6.

Strike: subsection (iii) in its entirety

Renumber: subsequent subsections

6. Page 2, line 23.

Strike: "\$80,000"

Insert: "\$40,000"

7. Page 2, line 25.

Strike: "\$40,000"

Insert: "\$20,000"

8. Page 2, line 26 through line 27.

Strike: subsection (c) through subsection (d) in their entirety

9. Page 2, line 28.

Strike: "(e)"

Insert: "(c)"

Strike: "\$2,500"

Insert: "\$5,000"

10. Page 3, line 8.

Following: "section,"

Strike: "'election'"

Insert: "'election cycle'"

Following: "general election"

Strike: "or a"

Insert: "and the"

11. Page 3, line 8 through line 11.

Strike: "that involves" on line 8 through "apply" on line 11

And, as amended, do pass. Report adopted.

HB 410, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 11.

Strike: "PROHIBITING" on line 5 through "APPLICATIONS;" on line 11

Insert: "AND"

2. Title, page 1, line 12 through line 15.

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Following: "REGISTRARS" on line 12

Strike: remainder of line 12 through "MCA" on line 15

Insert: "CONCERNING MAILING OUT AND RETURNING VOTER REGISTRATION AND ABSENTEE BALLOT APPLICATIONS"

3. Page 1, line 18 through line 29.

Strike: ";" on line 18 through "process" on line 29

4. Page 2.

Following: line 1

Strike: everything after the enacting clause

Insert: "NEW SECTION. **Section 1. Short title.** [Sections 1 through 4] may be cited as the "Montana Third-Party Voter Registration Integrity Act"."

Insert: "NEW SECTION. **Section 2. Definitions.** As used in [sections 1 through 4], the following definitions apply:

(1) "Campaign literature" means material that advocates the success or defeat of a candidate, political party, or ballot issue.

(2) "Third-party registrar" means a person, other than an election official, who is supporting an organized effort to register voters or to assist voters in applying for absentee ballots."

Insert: "NEW SECTION. **Section 3. Prohibitions concerning mailings.** A third-party registrar may not mail a voter registration or absentee ballot application in the same envelope as campaign literature if the envelope is marked to resemble a mailing from an election office."

Insert: "NEW SECTION. **Section 4. Return of voter registration and absentee ballot applications.** A third-party registrar may not mail or advise an applicant to mail a voter registration or absentee ballot application to any address other than the county election administrator's address in the applicant's county of residence."

Insert: "NEW SECTION. **Section 5. Codification instruction.** [Sections 1 through 4] are intended to be codified as an integral part of Title 13, chapter 35, and the provisions of Title 13, chapter 35, apply to [sections 1 through 4]."

And, as amended, do pass. Report adopted.

HB 411, do pass. Report adopted.

HB 445, introduced bill, be amended as follows:

1. Page 2, line 12 through line 14.

Strike: section 2 in its entirety

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):

2/21/2013

HB 429, do pass. Report adopted.

HB 444, introduced bill, be amended as follows:

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1. Title, page 1, line 7.

Strike: "AND"

2. Title, page 1, line 8.

Following: "AUTHORITY"

Insert: "; AND PROVIDING A DELAYED EFFECTIVE DATE"

3. Page 1, line 10.

Following: "wishes"

Insert: "to"

4. Page 1, line 19.

Strike: "tax credit imposed by this chapter"

Insert: "credit against the taxes imposed by Title 15, chapter 30 or 31,"

5. Page 1, line 20.

Following: "77-1-101"

Insert: ", that is provided"

6. Page 1, line 21.

Strike: "(2)"

7. Page 1.

Following: line 21

Insert: "(2) If the amount of the credit exceeds the taxpayer's liability under Title 15, chapter 30 or 31, the amount of the excess must be refunded to the taxpayer. The credit may be claimed even if the claimant has no taxable income."

8. Page 1.

Following: line 24.

Insert: "(4) If the property through which access is provided is owned by multiple taxpayers, the taxpayers may claim a proportionate share of the \$500 credit based on their respective ownership interests in that property.

(5) If qualified access to the same parcel of state land is provided through separate properties owned by different taxpayers, the taxpayer for each property may claim a \$500 credit."

9. Page 2, line 2 through line 3.

Strike: "The" on line 2 through "[section 1]." on line 3

10. Page 2, line 4.

Strike: "A tax credit is not allowed in"

Insert: "Private land is not eligible for"

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11. Page 2, line 5.

Following: "opportunities"

Insert: "on that land"

12. Page 2, line 6.

Following: "(4)"

Insert: "(a)"

13. Page 2, line 7 through line 8.

Strike: ". This" on line 7 through "[section 1]." on line 8

Insert: "through the landowner's private land. This contract serves as certification that the landowner is providing qualified access to state land and is eligible for the tax credit identified in [section 1]. The contract must include a certification number for identification purposes. The department shall provide a copy of the contract to the landowner and notify the department of revenue of the certification number.

(b) Contracts may be established with landowners who, prior to [the effective date of this act], provided access to state land that was otherwise not legally accessible under subsection (8). Landowners who establish contracts under this subsection (4)(b) are eligible to receive the tax credit identified in [section 1]."

14. Page 2, line 9.

Following: "rules"

Insert: "for establishing contracts"

Strike: "for"

Insert: "regarding"

15. Page 2, line 10.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

16. Page 2, line 22.

Strike: "not"

17. Page 2, line 23.

Strike: "where the"

Insert: "because that"

18. Page 2.

Following: line 29

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective January 1, 2014."

And, as amended, do pass. Report adopted.

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TRANSPORTATION (Lavin, Chair):
HB 216, introduced bill, be amended as follows:

2/20/2013

1. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS 61-10-109, 61-10-121, AND"

2. Page 1, line 10.

Insert: "**Section 1.** Section 61-10-109, MCA, is amended to read:

"61-10-109. Operation without special permits prohibited. The operation of vehicles or combinations of vehicles having dimensions or weights in excess of the maximum limits specified in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-108 is permitted only if authorized by special permit issued under 61-10-121 through 61-10-125 by the department of transportation or its agents or, the highway patrol, or local authorities in their respective jurisdictions."

3. Page 1, line 10.

Insert: "**Section 2.** Section 61-10-121, MCA, is amended to read:

"61-10-121. Permits for excess size and weight -- agents. (1) (a) Upon application and with good cause shown, the department of transportation, or its agent under subsection (3), and local authorities in their respective jurisdictions may issue telephonically or in writing a special permit authorizing the applicant to operate or move a vehicle, combination of vehicles, load, object, or other thing of a size or weight exceeding the maximum specified in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 upon a highway under the jurisdiction of and for the maintenance of which the body granting the permit is responsible. However, only a local authority may, within its jurisdiction, issue permits as provided in 61-10-126(2), and only the department may issue permits for movement of a vehicle or combination of vehicles carrying built-up or reducible loads in excess of 9 feet in width or exceeding the length, height, or weight specified in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110. This permit must be issued in the public interest. A carrier receiving this permit must have public liability and property damage insurance for the protection of the traveling public as a whole. A permit may not be issued for a period greater than the period for which the GVW license is valid, including grace periods, as provided in this title. Owners of vehicles licensed in other jurisdictions may, at the discretion of the department, purchase permits to expire with their registration. A license required by the state governs the issuance of a special permit.

(b) The department may issue to dealers in implements of husbandry and self-propelled machinery oversize permits. The permits may be transferred from unit to unit by the dealer, for the fee set forth in 61-10-124. These oversize permits may not restrict dealers in implements of husbandry and self-propelled machinery from traveling on a Saturday or Sunday and expire on December 31 of each year, with no grace period. For the purposes of this section, a dealer in implements of husbandry or self-propelled machinery must be a resident of the state. A post-office box number is not a permanent address under this section.

(2) The applicant for a special permit shall specifically describe the powered vehicle or towing vehicle and generally describe the type of vehicle, combination of vehicles, load, object, or other thing to be operated or moved and the particular state highways over which the vehicle,

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combination of vehicles, load, object, or other thing is to be moved and whether the permit is required for a single trip or for continuous operation.

(3) The department may enter into a contract with a private party to act as an agent of the department for the purpose of issuing, in writing, a special permit allowed under this section."

Renumber: subsequent sections

4. Page 1, line 15 through line 17.

Strike: subsection (2) in its entirety

Insert: "(2)(a) If an application for a special permit applies to a vehicle for travel solely within the jurisdiction of the local authority and the travel does not include passage over a bridge under the jurisdiction of the department or on a state-maintained primary or secondary highway for more than 1 mile, then the local authority shall, in lieu of a permit issued by the department, issue the permit and shall pay the permit fee to the treasurer of the local authority for deposit in the road fund of the local authority.

(b) A local authority may collect from an applicant a permit fee of \$25, under this subsection (2), for a vehicle traveling less than 25 miles and \$50 for a vehicle traveling 25 miles or more."

And, as amended, do pass. Report adopted.

HB 355, introduced bill, be amended as follows:

1. Title, line 9.

Strike: "FOURTH"

Insert: "THIRD"

2. Page 1, line 27.

Strike: "20"

Insert: "10"

3. Page 2, line 23.

Strike: "20"

Insert: "10"

4. Page 2, line 24.

Strike: "second"

Insert: "third"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/20/2013

HB 18, introduced by Hollenbaugh

HB 114, introduced by Clark

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HB 115, introduced by Clark
HB 138, introduced by Hertz
HB 141, introduced by Noonan
HB 202, introduced by Hagan

Senate bills passed and transmitted to the House for concurrence:

2/20/2013

SB 56, introduced by Jent
SB 236, introduced by Olson

MESSAGES FROM THE GOVERNOR

February 20, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 32** sponsored by Representative Hollandsworth, **House Bill 40** sponsored by Representative Dudik, **House Bill 52** sponsored by Representative Lieser, **House Bill 55** sponsored by Representative Knudsen, **House Bill 60** sponsored by Representative Berry, and **House Bill 111** sponsored by Representative Miller on February 20, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 559, introduced by Bangerter, referred to Transportation.
HB 560, introduced by Pierson, referred to Taxation.
HB 561, introduced by Fitzpatrick, Hagan, Hamlett, referred to Natural Resources.
HB 562, introduced by Swanson, referred to Judiciary.
HB 563, introduced by Berry, referred to Business and Labor.
HB 564, introduced by Edmunds, referred to Judiciary.
HB 565, introduced by McCarthy, referred to Natural Resources.
HB 566, introduced by Woods, referred to Transportation.
HB 567, introduced by Zolnikov, referred to Human Services.

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HB 568, introduced by Brockie, Calf Boss Ribs, Pease-Lopez, Peppers, B. Smith, Stewart-Peregoy, Whitford, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hertz in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 8 - Representative Cook moved **HB 8** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 205 - Representative Kerns moved **HB 205** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith,

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Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 38

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 302 - Representative Kerns moved **HB 302** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 55

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 44

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: Lavin.
Total 1

HB 304 - Representative Kerns moved **HB 304** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 368 - Representative Clark moved **HB 368** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Harris.
Total 1

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 414 - Representative Hoven moved **HB 414** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Squires.
Total 1

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 422 - Representative Blyton moved **HB 422** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hertz moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 75

Nays: B. Bennett, Boland, Boss Ribs, Dudik, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, MacDonald, McCarthy, McClafferty, Neill, Pease-Lopez, Pomnichowski, Price, Schreiner, Squires, Swanson, Williams, Wilson, Woods.

Total 22

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Cook, Edmunds.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 170 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn,

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Welborn, White, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 33

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 254 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 76

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Fiscus, Flynn, Galt, Halvorson, Hansen, Hoven, Howard, Jones, Kerns, Knudsen, Laszloffy, O'Neil, Osmundson, Regier, Reichner, C. Smith, Vance, Zolnikov, Mr. Speaker.

Total 23

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 255 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell,

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Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Zolnikov, Mr. Speaker.

Total 36

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Cuffe.

Total 1

HB 359 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Mr. Speaker.

Total 1

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HB 392 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 446 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Clark, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Warburton.

Total 1

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Absent or not voting: None.

Total 0

HB 463 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Kerns, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: O'Neil.

Total 1

HB 469 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, February 22, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTIETH LEGISLATIVE DAY**

Helena, Montana
February 22, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Flynn. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/22/2013

Correctly printed: **HB 240, HB 297, HB 355, HB 369, HB 373, HB 393, HB 401, HB 451, HB 484, HB 485, HB 497, HB 500, HB 502, HB 531, HB 533, HB 534, HB 544, HB 552, HB 554, HB 562, HB 564, HB 569, HB 570, HB 572, HJR 13, HJR 14.**

Correctly engrossed: **HB 314, HB 329, HB 344, HB 437, HB 461, HB 465, HB 498, HB 499, HB 555.**

Correctly enrolled: **HB 63, HB 77, HB 81.**

Examined by the sponsor and found to be correct: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Transmitted to the Senate: **HB 170, HB 254, HB 255, HB 359, HB 392, HB 446, HB 463, HB 469.**

Signed by the Speaker at 4:25 p.m., February 22, 2013: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Signed by the Chief Clerk of the House at 4:33 p.m., February 22, 2013: **HB 47, HB 114, HB 115, HB 169, HB 193.**

Signed by the Speaker at 10:40 a.m., February 22, 2013: **HB 18, HB 138, HB 141, HB 202.**

Signed by the Chief Clerk of the House at 10:50 a.m., February 22, 2013: **HB 18, HB 138, HB 141, HB 202.**

Signed by the President at 5:30 p.m., February 22, 2013: **HB 18, HB 47, HB 114, HB 115, HB 138, HB 141, HB 169, HB 193, HB 202.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

2/21/2013

HB 344, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "INCREASING BOND REQUIREMENTS;"

Insert: "AND"

2. Title, page 1, line 6.

Strike: "; AND AMENDING" through "80-4-604, MCA"

3. Page 1, line 19 through page 3, line 11.

Strike: section 2 through section 4 in their entirety

Renumber: subsequent section

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And, as amended, do pass. Report adopted.

HB 484, do pass. Report adopted.

HB 502, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/22/2013

HB 534, do pass. Report adopted.

HB 544, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

2/21/2013

HB 401, do pass. Report adopted.

HB 533, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/22/2013

HB 555, introduced bill, be amended as follows:

1. Title, page 1, lines 10 and 11.

Strike: "REQUIRING MEDIATORS TO HAVE KNOWLEDGE IN THE AREA OF DOMESTIC VIOLENCE;"

Insert: "ALLOWING MEDIATIONS TO BE CONDUCTED BY MEDIATORS WHO ARE TRAINED IN MEDIATING DOMESTIC VIOLENCE CASES;"

2. Page 3, line 27.

Strike: "must"

Insert: "may"

And, as amended, do pass. Report adopted.

HB 562, do pass. Report adopted.

HB 564, do pass. Report adopted.

HJR 13, do pass. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

2/21/2013

HB 437, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "A PUBLIC HEARING"

Insert: "AT LEAST TWO PUBLIC HEARINGS"

2. Title, line 7.

Following: "DISTRICT;"

Strike: "AND"

3. Title, line 8.

Following: "MCA"

Strike: Insert "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

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4. Page 1, line 20.

Strike: "one"

Insert: "two"

Strike: "hearing"

Insert: "hearings"

Following: "Notice of"

Strike: "the"

Insert: "each"

5. Page 1, line 21.

Following: "7-1-2121,"

Strike: "the"

Insert: "each"

6. Page 1, line 26.

Strike: "hearing"

Insert: "hearings"

7. Page 4.

Following: line 20

Insert: "NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval."

And, as amended, do pass. Report adopted.

HB 451, do pass. Report adopted.

HB 461, introduced bill, be amended as follows:

1. Page 1, line 30.

Strike: "\$500"

Insert: "\$225"

2. Page 1, line 30.

Following: "month"

Insert: ", except that the pension may be set by the board of trustees of an association and a city at an amount not to exceed \$300 a month if the association's fund is soundly funded, as provided in 19-18-503"

And, as amended, do pass. Report adopted.

HB 465, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "AND"

Following: "MCA"

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Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 17.

Strike: "\$10"

Insert: "\$25"

3. Page 1, line 18.

Strike: "by" through "department"

4. Page 2, line 15.

Following: line 14

Insert: "NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2013."

And, as amended, do pass. Report adopted.

HB 485, do pass. Report adopted.

HB 497, do pass. Report adopted.

HB 499, introduced bill, be amended as follows:

1. Page 2, line 14.

Following: "(3) A"

Insert: "sale, rent, lease, or other"

And, as amended, do pass. Report adopted.

HB 531, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

2/22/2013

HB 329, introduced bill, be amended as follows:

1. Page 6, line 21 through line 22.

Strike: "or a state" on line 21 through "position" on line 22

2. Page 8, line 5 through line 7.

Following: "the state" on line 5

Strike: "a member" on line 5 through "state" on line 7

Insert: "who is not elected or appointed"

And, as amended, do pass. Report adopted.

HB 498, introduced bill, be amended as follows:

1. Page 1, line 11.

Strike: "\$2 per year or fraction of a year"

Insert: "\$16"

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2. Page 1, line 12.

Following: "fund"

Insert: ", except that the fee for a card issued under subsection (3)(b) is \$8"

3. Page 1, line 20.

Following: "birthday"

Insert: "4 years after the card's issue date"

And, as amended, do pass. Report adopted.

HB 552, do pass. Report adopted.

HB 554, do pass. Report adopted.

TAXATION (Miller, Chair):

2/22/2013

HB 373, do pass. Report adopted.

HB 393, do pass. Report adopted.

HB 500, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/21/2013

HB 169, introduced by White

HB 193, introduced by Hagan

Senate bills passed and transmitted to the House for concurrence:

2/21/2013

SB 107, introduced by Facey

SB 125, introduced by Olson

SB 212, introduced by Hamlett

SB 217, introduced by Hamlett

SB 245, introduced by Arthun

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 569, introduced by Reichner, referred to Taxation.

HB 570, introduced by Woods, Schwaderer, referred to Transportation.

HB 572, introduced by B. Bennett, Clark, Laszloffy, Miller, D. Moore, Randall, Zolnikov, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 14, introduced by Jacobson, Blasdel, Eck, Hansen, Hunter, Knudsen, McClafferty, Mehlhoff,

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Miller, Price, C. Smith, Wilson, Zolnikov, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Blyton in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 240 - Representative C. Smith moved **HB 240** do pass.

HB 240 - Representative Edmunds moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

Nays: B. Bennett, Boland, Brockie, Coffin, Dudik, Gursky, Jacobson, Lieser, Lynch, MacDonald, Mehlhoff, Noonan, O'Hara, Peppers, Price, B. Smith, Swanson.

Total 17

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 240 - Representative C. Smith moved **HB 240** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy,

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Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagstrom, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

On a **Point of Personal Privilege**-Representative Coffin noted that at no time during the debate on **HB 240** did the record include Montana University's current policies.

HB 297 - Representative Howard moved **HB 297** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jones, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 44

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 314 - Representative Kary moved **HB 314**, second reading copy, be amended as follows:

1. Page 5, line 2.

Strike: "SUPPORT OF"

Insert: "opposition to"

2. Page 5, line 4 through line 5.

Strike: "HOWEVER" on line 4 through "DISTRICT." on line 5

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 50

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 314 - Representative D. Jones moved **HB 314**, second reading copy, be amended as follows:

1. Page 5, line 18.

Following: "assessment,"

Insert: "and if the governing body decides to proceed with proposing the district,"

Amendment adopted as follows:

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Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: Ankney, Berry, Fiscus, Lynch, MacDonald, Noonan, Shaw, Welborn, White.

Total 9

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 314 - Representative Fiscus moved **HB 314**, second reading copy, be amended as follows:

1. Title, line 5.

Strike: "A GOVERNING BODY TO ORDER A REFERENDUM ON THE"

Insert: "FOR"

Following: "DISTRICT"

Insert: "BY PETITION OR REFERENDUM"

2. Page 1, line 27 through line 29.

Strike: ":-" on line 27 through "(ii)" on line 29

3. Page 3, line 22.

Following: "body"

Insert: "to order a referendum"

4. Page 7, line 8 through line 11.

Strike: subsection (3) in its entirety

Amendment **not** adopted as follows:

Yeas: J. Bennett, Berry, Brodehl, Clark, Cuffe, Doane, Edmunds, Fiscus, Harris, Jones, Kerns, Lang, O'Neil, Osmundson, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton,

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Zolnikov.

Total 21

Nays: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 79

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 314 - Representative Kary moved **HB 314**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 77

Nays: J. Bennett, Berry, Brodehl, Cuffe, Curtis, Edmunds, Fiscus, Halvorson, Hansen, Harris, Ingraham, Kerns, Lynch, MacDonald, McClafferty, Noonan, O'Neil, Redfield, Regier, Schreiner, Vance, Wagoner, Woods.

Total 23

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 355 - Representative Clark moved **HB 355** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 78

Nays: Ankney, J. Bennett, Brodehl, Cuffe, Doane, Gibson, Hagan, Halvorson, Kerns, Lang, Laszloffy, Lenz, Miller, O'Neil, Schwaderer, Shaw, Vance, Wagoner, Welborn, White, Zolnikov.
Total 21

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: Fiscus.
Total 1

HB 358 - Representative Kerns moved **HB 358** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 48

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 52

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 369 - Representative Fitzpatrick moved **HB 369** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 375 - Representative Ballance moved **HB 375** do pass. Motion **failed** as follows:

Yeas: Ballance, Blyton, Clark, Connell, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Knudsen, Lenz, Miller, Moore, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Vance, White, Zolnikov, Mr. Speaker.

Total 32

Nays: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 67

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Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Blyton moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 68

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Coffin, Dudik, Gursky, Harris, Hollenbaugh, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Blyton, Fiscus.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 8 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,

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Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Brodehl, Kerns.

Total 2

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 205 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Greef.

Total 1

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HB 274 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Swanson, Whitford, Wilmer, Wilson, Woods.
Total 30

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

HB 302 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 42

Voted Absentee: None.

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Excused: Warburton.

Total 1

Absent or not voting: Lavin.

Total 1

HB 304 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 368 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 98

Nays: Harris.

Total 1

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 422 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Hoven, Jones.

Total 2

MOTIONS

Majority Leader Vance moved **HB 297** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 355** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 498** be moved from the Committee of the Whole to the State Administration committee.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 508**
Motion carried.

HB 508 (Edmunds Chief Sponsor)
Arntzen.

SPECIAL ORDERS OF THE DAY

Representative Blyton thanked the pages for their service this week.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, February 23, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-FIRST LEGISLATIVE DAY**

Helena, Montana
February 23, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Pierson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/23/2013

Correctly printed: **HB 48, HB 84, HB 256, HB 263, HB 273, HB 286, HB 330, HB 365, HB 378, HB 395, HB 396, HB 399, HB 410, HB 411, HB 435, HB 442, HB 448, HB 461, HB 484, HB 494, HB 513, HB 544, HB 548, HB 553, HB 561, HB 573, HB 574, HJR 11, SB 43, SB 164.**

Correctly engrossed: **HB 87, HB 336, HB 473, HB 477, HB 508.**

Transmitted to the Senate: **HB 8, HB 205, HB 274, HB 302, HB 304, HB 368, HB 414, HB 422.**

Delivered to the Governor for approval at 8:35 a.m., February 23, 2013: **HB 18, HB 47, HB 114, HB 115, HB 138, HB 141, HB 169, HB 193, HB 202.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

2/22/2013

HB 84, do pass. Report adopted.

HB 87, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "AUTHORITY;"

Insert: "APPROPRIATING AND AUTHORIZING THE USE OF FUNDS FOR IMPLEMENTATION OF THE REVIEW;"

2. Page 6, line 7.

Following: line 6

Insert: "NEW SECTION. **Section 6. Appropriation and authorization.** The commissioner is authorized to expend \$204,000 in each of the fiscal years beginning July 1, 2013, and July 1, 2014, for a biennial total of \$408,000. These funds are appropriated from the state special revenue fund credited to the state auditor's office and must be used exclusively for purposes of implementing [this act], including but not limited to the payment of contracting services to perform the rate review."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 256, do pass. Report adopted.

HB 273, do pass. Report adopted.

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HB 286, do pass. Report adopted.

HB 330, do pass. Report adopted.

HB 336, introduced bill, be amended as follows:

1. Title, page 1, line 12.

Following: "SECTIONS"

Insert: "19-2-303,"

2. Page 3, following line 8.

Insert: "**Section 2.** Section 19-2-303, MCA, is amended to read:

"19-2-303. Definitions. Unless the context requires otherwise, for each of the retirement systems subject to this chapter, the following definitions apply:

(1) "Accumulated contributions" means the sum of all the regular and any additional contributions made by a member in a defined benefit plan, together with the regular interest on the contributions.

(2) "Active member" means a member who is a paid employee of an employer, is making the required contributions, and is properly reported to the board for the most current reporting period.

(3) "Actuarial cost" means the amount determined by the board in a uniform and nondiscriminatory manner to represent the present value of the benefits to be derived from the additional service to be credited based on the most recent actuarial valuation for the system and the age, years until retirement, and current salary of the member.

(4) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of the mortality table and interest rate assumptions adopted by the board.

(5) "Actuarial liabilities" means the excess of the present value of all benefits payable under a defined benefit retirement plan over the present value of future normal costs in that retirement plan.

(6) "Actuary" means the actuary retained by the board in accordance with 19-2-405.

(7) "Additional contributions" means contributions made by a member of a defined benefit plan to purchase various types of optional service credit as allowed by the applicable retirement plan.

(8) "Annuity" means:

(a) in the case of a defined benefit plan, equal and fixed payments for life that are the actuarial equivalent of a lump-sum payment under a retirement plan and as such are not benefits paid by a retirement plan and are not subject to periodic or one-time increases; or

(b) in the case of the defined contribution plan, a payment of a fixed sum of money at regular intervals.

(9) "Banked holiday time" means the hours reported for work performed on a holiday that the employee may use for equivalent time off or that may be paid to the employee as specified by the employer's policy.

(10) "Benefit" means:

(a) the service retirement benefit, early retirement benefit, or disability retirement or survivorship benefit payment provided by a defined benefit retirement plan; or

(b) a payment or distribution under the defined contribution retirement plan, including a

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disability payment under 19-3-2141, for the exclusive benefit of a plan member or the member's beneficiary or an annuity purchased under 19-3-2124.

(11) "Board" means the public employees' retirement board provided for in 2-15-1009.

(12) "Contingent annuitant" means:

(a) under option 2 or 3 provided for in 19-3-1501, one natural person designated to receive a continuing monthly benefit after the death of a retired member; or

(b) under option 4 provided for in 19-3-1501, a natural person, charitable organization, estate, or trust that may receive a continuing monthly benefit after the death of a retired member.

(13) "Covered employment" means employment in a covered position.

(14) "Covered position" means a position in which the employee must be a member of the retirement system except as otherwise provided by law.

(15) "Defined benefit retirement plan" or "defined benefit plan" means a plan within the retirement systems provided for pursuant to 19-2-302 that is not the defined contribution retirement plan.

(16) "Defined contribution retirement plan" or "defined contribution plan" means the plan within the public employees' retirement system established in 19-3-103 that is provided for in chapter 3, part 21, of this title and that is not a defined benefit plan.

(17) "Department" means the department of administration.

(18) "Designated beneficiary" means the person, charitable organization, estate, or trust for the benefit of a natural person designated by a member or payment recipient to receive any survivorship benefits, lump-sum payments, or benefit from a retirement account upon the death of the member or payment recipient, including annuities derived from the benefits or payments.

(19) "Direct rollover" means a payment by the plan to the eligible retirement plan specified by the distributee.

(20) "Disability" or "disabled" means a total inability of the member to perform the member's duties by reason of physical or mental incapacity. The disability must be incurred while the member is an active member and must be one of permanent duration or of extended and uncertain duration, as determined by the board on the basis of competent medical opinion.

(21) "Distributee" means:

(a) a member;

(b) a member's surviving spouse;

(c) a member's spouse or former spouse who is the alternate payee under a family law order as defined in 19-2-907; or

(d) effective January 1, 2007, a member's nonspouse beneficiary who is a designated beneficiary as defined by section 401(a)(9)(E) of the Internal Revenue Code, 26 U.S.C. 401(a)(9)(E).

(22) "Early retirement benefit" means the retirement benefit payable to a member following early retirement and is the actuarial equivalent of the accrued portion of the member's service retirement benefit.

(23) "Eligible retirement plan" means any of the following that accepts the distributee's eligible rollover distribution:

(a) an individual retirement account described in section 408(a) of the Internal Revenue Code, 26 U.S.C. 408(a);

(b) an individual retirement annuity described in section 408(b) of the Internal Revenue Code, 26 U.S.C. 408(b);

(c) an annuity plan described in section 403(a) of the Internal Revenue Code, 26 U.S.C.

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403(a);

(d) a qualified trust described in section 401(a) of the Internal Revenue Code, 26 U.S.C. 401(a);

(e) effective January 1, 2002, an annuity contract described in section 403(b) of the Internal Revenue Code, 26 U.S.C. 403(b);

(f) effective January 1, 2002, a plan eligible under section 457(b) of the Internal Revenue Code, 26 U.S.C. 457(b), that is maintained by a state, a political subdivision of a state, or any agency or instrumentality of a state or a political subdivision of a state that agrees to separately account for amounts transferred into that plan from a plan under this title; or

(g) effective January 1, 2008, a Roth IRA described in section 408A of the Internal Revenue Code, 26 U.S.C. 408A.

(24) "Eligible rollover distribution":

(a) means any distribution of all or any portion of the balance from a retirement plan to the credit of the distributee, as provided in 19-2-1011;

(b) effective January 1, 2002, includes a distribution to a surviving spouse or to a spouse or former spouse who is an alternate payee under a domestic relations order, as defined in section 414(p) of the Internal Revenue Code, 26 U.S.C. 414(p).

(25) "Employee" means a person who is employed by an employer in any capacity and whose salary is being paid by the employer or a person for whom an interlocal governmental entity is responsible for paying retirement contributions pursuant to 7-11-105.

(26) "Employer" means a governmental agency participating in a retirement system enumerated in 19-2-302 on behalf of its eligible employees. The term includes an interlocal governmental entity identified as responsible for paying retirement contributions pursuant to 7-11-105.

(27) "Essential elements of the position" means fundamental job duties. An element may be considered essential because of but not limited to the following factors:

(a) the position exists to perform the element;

(b) there are a limited number of employees to perform the element; or

(c) the element is highly specialized.

(28) "Fiscal year" means a plan year, which is any year commencing with July 1 and ending the following June 30.

(29) "Inactive member" means a member who terminates service and does not retire or take a refund of the member's accumulated contributions.

(30) "Internal Revenue Code" has the meaning provided in 15-30-2101.

(31) "Member" means either:

(a) a person with accumulated contributions and service credited with a defined benefit retirement plan or receiving a retirement benefit on account of the person's previous service credited in a retirement system; or

(b) a person with a retirement account in the defined contribution plan.

(32) "Membership service" means the periods of service that are used to determine eligibility for retirement or other benefits.

(33) (a) "Normal cost" or "future normal cost" means an amount calculated under an actuarial cost method required to fund accruing benefits for members of a defined benefit retirement plan during any year in the future.

(b) Normal cost does not include any portion of the supplemental costs of a retirement plan.

(34) "Normal retirement age" means the age at which a member is eligible to immediately

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receive a retirement benefit based on the member's age, length of service, or both, as specified under the member's retirement system, without disability and without an actuarial or similar reduction in the benefit.

(35) "Pension" means benefit payments for life derived from contributions to a retirement plan made from state- or employer-controlled funds.

(36) "Pension trust fund" means a fund established to hold the contributions, income, and assets of a retirement system or plan in public trust.

(37) "Plan choice rate" means the amount of the employer contribution as a percentage of payroll covered by the defined contribution plan members that is allocated to the public employees' retirement system's defined benefit plan pursuant to 19-3-2117 and that is adjusted by the board pursuant to 19-3-2121 to actuarially fund the unfunded liabilities and the normal cost rate changes in a defined benefit plan resulting from member selection of the defined contribution plan.

(38) "Regular contributions" means contributions required from members under a retirement plan.

(39) "Regular interest" means interest at rates set from time to time by the board.

(40) "Retirement" or "retired" means the status of a member who has:

(a) terminated from service; and

(b) received and accepted a retirement benefit from a retirement plan.

(41) "Retirement account" means an individual account within the defined contribution retirement plan for the deposit of employer and member contributions and other assets for the exclusive benefit of a member of the defined contribution plan or the member's beneficiary.

(42) "Retirement benefit" means:

(a) in the case of a defined benefit plan, the periodic benefit payable as a result of service retirement, early retirement, or disability retirement under a defined benefit plan of a retirement system. With respect to a defined benefit plan, the term does not mean an annuity.

(b) in the case of the defined contribution plan, a benefit as defined in subsection (10)(b).

(43) "Retirement plan" or "plan" means either a defined benefit plan or a defined contribution plan under one of the public employee retirement systems enumerated in 19-2-302.

(44) "Retirement system" or "system" means one of the public employee retirement systems enumerated in 19-2-302.

(45) "Service" means employment of an employee in a position covered by a retirement system.

(46) "Service credit" means the periods of time for which the required contributions have been made to a retirement plan and that are used to calculate retirement benefits or survivorship benefits under a defined benefit retirement plan.

(47) "Service retirement benefit" means the retirement benefit that the member may receive at normal retirement age.

(48) "Statutory beneficiary" means the surviving spouse or dependent child or children of a member of the highway patrol officers', municipal police officers', or firefighters' unified retirement system who are statutorily designated to receive benefits upon the death of the member.

(49) "Supplemental cost" means an element of the total actuarial cost of a defined benefit retirement plan arising from benefits payable for service performed prior to the inception of the retirement plan or prior to the date of contribution rate increases, changes in actuarial assumptions, actuarial losses, or failure to fund or otherwise recognize normal cost accruals or interest on supplemental costs. These costs are included in the unfunded actuarial liabilities of the retirement plan.

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(50) "Survivorship benefit" means payments for life to the statutory or designated beneficiary of a deceased member who died while in service under a defined benefit retirement plan.

(51) "Termination of employment", "termination from employment", "terminated employment", "terminated from employment", "terminate employment", or "terminates employment" means that:

(a) there has been a complete severance of a covered employment relationship by the positive act of either the employee, the employer, or both; and

(b) the member is no longer receiving compensation for covered employment, other than any outstanding lump-sum payment for compensatory leave, sick leave, or annual leave.

(52) "Termination of service", "termination from service", "terminated from service", "terminated service", "terminating service", or "terminates service" means that:

(a) there has been a complete severance of a covered employment relationship by the positive act of either the employee, the employer, or both for at least 30 days;

(b) no written or verbal agreement exists between employee and employer that the employee will return to covered employment in the future;

(c) the member is no longer receiving compensation for covered employment; and

(d) the member has been paid all compensation for compensatory leave, sick leave, or annual leave to which the member was entitled. For the purposes of this subsection (52), compensation does not mean compensation as a result of a legal action, court order, or settlement to which the board was not a party.

(53) "Unfunded actuarial liabilities" or "unfunded liabilities" means the excess of a defined benefit retirement plan's actuarial liabilities at any given point in time over the value of its cash and investments on that same date.

(54) "Vested account" means an individual account within a defined contribution plan that is for the exclusive benefit of a member or the member's beneficiary. A vested account includes all contributions and the income on all contributions in each of the following accounts:

(a) the member's contribution account;

(b) the vested portion of the employer's contribution account; and

(c) the member's account for other contributions.

(55) "Vested member" or "vested" means:

(a) with respect to a defined benefit plan, except as provided in subsection (55)(b), a member or the status of a member who has at least 5 years of membership service; ~~or~~

(b) with respect to a member of the highway patrol officers' retirement system established in Title 19, chapter 6, who was hired on or after [the effective date of this act], a member or the status of the member who has at least 10 years of membership service; or

~~(b)(c)~~ with respect to the defined contribution plan, a member or the status of a member who meets the minimum membership service requirement of 19-3-2116.

(56) "Written application" or "written election" means a written instrument, prescribed by the board or required by law, properly signed and filed with the board, that contains all required information, including documentation that the board considers necessary.

(57) "Written instrument" includes an electronic record containing an electronic signature, as defined in 30-18-102."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

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BUSINESS AND LABOR (Berry, Chair):
HB 473, introduced bill, be amended as follows:

2/21/2013

1. Title, line 5.

Strike: "AUTHORIZING"

Insert: "EXPANDING"

Strike: "BY"

Insert: "TO INCLUDE OPTOMETRISTS, PODIATRISTS,"

Following: "FACILITIES"

Insert: ", "

2. Title, line 8 through line 9.

Strike: "AND A" on line 8 through "DATE" on line 9

3. Page 1, line 15.

Following: "Dentist,"

Insert: "Optometrist, Podiatrist,"

4. Page 1, line 21.

Following: "dentists,"

Insert: "optometrists, podiatrists,"

5. Page 2, line 2.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

6. Page 2, line 9.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

7. Page 2, line 20.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

8. Page 2, line 29.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

9. Page 3, line 2.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

10. Page 3, line 7.

Following: "~~part~~."

Insert: "The lien of an attorney provided for in 37-61-420 has priority over a lien created by this

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part."

11. Page 3, line 11.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

12. Page 3, line 16.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

13. Page 4, line 5.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

14. Page 4, line 8.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

15. Page 4, line 20.

Following: "dentist,"

Insert: "optometrist, podiatrist,"

16. Page 5, line 1 through line 2.

Strike: section 10 in its entirety

And, as amended, do pass. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 2/22/2013
HB 477, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 9.

Strike: ", DISCONNECTION" on line 5 through "CONTRACT" on line 9

2. Title, page 1, line 10.

Strike: "AND" through "DATE"

3. Page 1, line 15.

Strike: "(4)"

Insert: "(3)"

Strike: "the" through "requested:"

4. Page 1, line 16.

Strike: "(a)"

Strike: "; or"

Insert: "."

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5. Page 1, line 17.

Strike: line 17 in its entirety

6. Page 1, line 24.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

7. Page 1, line 28.

Strike: "[sections 1 through 3]"

Insert: "this section"

8. Page 1, line 29.

Strike: "municipally" through the second "utility"

9. Page 2, line 2 through line 12.

Strike: section 2 through section 3 in their entirety

Renumber: subsequent sections

10. Page 2, line 14.

Strike: "[Sections 1 through 3] are"

Insert: "[Section 1] is"

11. Page 2, line 15.

Strike: "[sections 1 through 3]"

Insert: "[section 1]"

12. Page 2, line 17 through line 22.

Strike: section 5 through section 6 in their entirety

Renumber: subsequent sections

13. Page 2, line 26 through line 28.

Strike: section 8 in its entirety

And, as amended, do pass. Report adopted.

HJR 11, do pass. Report adopted.

SB 164, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):

HB 263, do pass. Report adopted.

HB 365, do pass. Report adopted.

HB 399, do pass. Report adopted.

SB 43, be concurred in. Report adopted.

2/22/2013

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NATURAL RESOURCES (Bennett, Chair):

2/22/2013

HB 553, do pass. Report adopted.

HB 561, do pass. Report adopted.

TRANSPORTATION (Lavin, Chair):

2/22/2013

HB 442, do pass. Report adopted.

HB 494, do pass. Report adopted.

HB 508, do pass. Report adopted.

HB 513, do pass. Report adopted.

HB 548, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

2/22/2013

HB 63, introduced by Pomnichowski

HB 77, introduced by Ingraham

HB 81, introduced by Ankney

Senate bills passed and transmitted to the House for concurrence:

2/22/2013

SB 203, introduced by Buttrey

SB 233, introduced by Peterson

SB 249, introduced by Debby Barrett

SB 278, introduced by Peterson

SB 291, introduced by Arntzen

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 573, introduced by Hagan, Fitzpatrick, Lavin, D. Moore, Rosendale, referred to Transportation.

HB 574, introduced by Edmunds, Schwaderer, referred to Agriculture.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Knudsen in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 48 - Representative McChesney moved **HB 48** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 378 - Representative McClafferty moved **HB 378** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Hollandsworth.
Total 1

Voted Absentee: Warburton, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 384 - Representative O'Neil moved **HB 384** do pass. Motion **failed** as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 49

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 51

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 395 - Representative Wagoner moved **HB 395** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 37

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 396 - Representative Lang moved **HB 396** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 410 - Representative Washburn moved **HB 410** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Mr. Speaker.

Total 64

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Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods, Zolnikov.
Total 36

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 411 - Representative Harris moved **HB 411** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Salomon, Shaw, C. Smith, Steenberg, Wagoner, Warburton, Washburn, Wilmer, Mr. Speaker.
Total 55

Nays: B. Bennett, J. Bennett, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jones, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, B. Smith, Squires, Swanson, Vance, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov.
Total 45

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 435 - Representative McChesney moved **HB 435** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty,

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McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Woods.

Total 69

Nays: Ballance, Blyton, Brodehl, Clark, Fitzpatrick, Galt, Glimm, Hagan, Halvorson, Harris, Hertz, Howard, Ingraham, Knudsen, Lang, Laszloffy, Lavin, Miller, Osmundson, Pomnichowski, Randall, Redfield, Schwaderer, C. Smith, Vance, Warburton, Washburn, White, Wilson, Zolnikov, Mr. Speaker.

Total 31

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 445 - Representative Vance moved consideration of **HB 445** be passed for the day. Motion Carried.

HB 448 - Representative Brodehl moved **HB 448** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, No.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 461 - Representative Lieser moved **HB 461** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Clark, Edmunds, Fitzpatrick, Flynn, Galt, Halvorson, Hansen, Harris, Hollandsworth, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, McNiven, O'Neil, Osmundson, Randall, Regier, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 24

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 484 - Representative Redfield moved **HB 484** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

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Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 500 - Representative Eck moved **HB 500** do pass. Motion **failed** as follows:

Yeas: Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Greef, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 50

Nays: Ankney, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 50

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 544 - Representative Reichner moved **HB 544** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 95

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Nays: Jones, Kerns, O'Neil, Schwaderer, Zolnikov.
Total 5

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: B. Bennett, MacDonald, McCarthy, Pease-Lopez, B. Smith, Williams.
Total 6

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Clark.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 240 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 314 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Boss Ribs, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hertz, Hollandsworth, Hoven, Howard, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Randall, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Washburn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 55

Nays: B. Bennett, J. Bennett, Berry, Boland, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Gursky, Hansen, Harris, Hill, Hollenbaugh, Hunter, Ingraham, Kerns, Lieser, Lynch, MacDonald, McClafferty, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Schreiner, B. Smith, Squires, Swanson, Vance, Wagoner, Welborn, Wilson, Woods.

Total 44

Voted Absentee: None.

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Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 369 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 378** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 435** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 484** be moved from the Committee of the Whole to the Appropriations committee.

Representative Cuffe moved to change his vote on **HB 490** from No to Yes. Without objection, so ordered.

Representative Curtis moved **HB 634** be moved from the Business and Labor committee to the Committee of the Whole.

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Motion Failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Gibson.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Monday, February 25, 2013. Motion carried.

House adjourned at 9:55 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-SECOND LEGISLATIVE DAY**

Helena, Montana
February 25, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Regier.
Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/25/2013

Correctly printed: **HB 6, HB 7, HB 61, HB 229, HB 230, HB 310, HB 344, HB 365, HB 384, HB 385, HB 399, HB 421, HB 444, HB 464, HB 494, HB 499, HB 502, HB 560, HJR 15.**

Correctly engrossed: **HB 352, HB 472, HB 510, HB 538, HB 547.**

Examined by the sponsor and found to be correct: **HB 63, HB 77, HB 81.**

Transmitted to the Senate: **HB 240, HB 314, HB 369.**

Signed by the Speaker at 3:45 p.m., February 25, 2013: **HB 63, HB 77, HB 81.**

Signed by the Chief Clerk of the House at 3:56 p.m., February 25, 2013: **HB 63, HB 77, HB 81.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

2/25/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 9:55 a.m., Saturday, February 23, 2013:

Ada Kelly, Great Falls
Jack Griffin, Billings/Steamboat Springs, CO
Carissa Lebsack, Fromberg
Rebecca Vondra, Billings
Makenizy Roberts, Belgrade
Hallie Finnicum, Culbertson
Kendra Hoar, Butte
Josh Madany, Dillon

and recommend that the following pages of the House be employed as of 1:00 a.m., Monday, February 25, 2013:

Lauren Bolton, Anaconda
Emma Johnson, Helena
Benjamin Walborn, Helena
Owen Madsen, Great Falls
Cassidee Boland, Cascade
Nicole Ribeiro, Thompson Falls
Julia Brantley, Great Falls
Chase Dart, Great Falls

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Report Adopted.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair): 2/25/2013

HB 61, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair): 2/22/2013

HB 547, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 1, line 15.

Strike: "consult" through "designees"

Insert: "provide a list of applicable permits and timelines to the office of economic development"

3. Page 1, line 18.

Strike: "30"

Insert: "45"

4. Page 2, line 17.

Following: line 16

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2013."

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 2/25/2013

HB 510, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "OPTIONAL"

Insert: "BIENNIAL"

2. Page 1, line 8.

Strike: "13-1-210,"

Following: "13-13-212"

Strike: ", "

3. Page 1, line 12 through line 24.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 1, line 27.

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Strike: "perennial"

Insert: "biennial"

5. Page 2, line 23.

Strike: "may"

Strike: "from time to time"

Insert: "shall biennially"

6. Page 2, line 24 through line 25.

Strike: "If the" on line 24 through "form, the" on line 25

Insert: "The"

7. Page 2, line 26.

Following: "January"

Insert: "of every even-numbered year"

8. Page 2, line 27.

Strike: "succeeding"

Insert: "next even-numbered"

9. Page 2, line 29.

Strike: "perennial"

Insert: "biennial"

10. Page 2, line 30.

Strike: "perennial"

Insert: "biennial"

11. Page 3, line 2.

Strike: "perennial"

Insert: "biennial"

12. Page 3, line 27.

Strike: "election administrator sends out the"

Following: "provide the"

Insert: "elector fails to provide the"

13. Page 3, line 28.

Strike: "form pursuant to"

Insert: "required by"

Strike: "and if an" through "confirmation"

14. Page 3, line 29.

Strike: the first "perennial"

Insert: "biennial"

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Strike: the second "perennial"

Insert: "biennial"

And, as amended, do pass. Report adopted.

HB 538, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "CERTIFICATION"

Insert: "COMPLIANCE"

2. Page 1, line 11.

Strike: "certification"

Insert: "compliance"

Following: "program for"

Insert: "operations and maintenance of"

3. Page 1, line 17.

Following: "considerations;"

Insert: "and"

4. Page 1, line 18.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

5. Page 1, line 21 through line 22.

Strike: "attempting" on line 21 through "administration" on line 22

Insert: "complying with high-performance building operations and maintenance standards adopted by the department by rule"

6. Page 1, line 23 through 24.

Strike: subsection (3) in its entirety

7. Page 1, line 26 through page 2, line 5.

Strike: Section 2 in its entirety

Renumber: subsequent sections

8. Page 2, line 8.

Strike: "certification"

Insert: "compliance"

Following: "program for"

Insert: "operations and maintenance of"

9. Page 2, line 11.

Strike: "certification"

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Insert: "compliance"

Following: "program for"

Insert: "operations and maintenance of"

10. Page 2, line 15.

Following: line 14

Insert: "(4) The specified agency special revenue accounts and university plant funds and authority are designated for the purpose of financing high-performance operations and maintenance compliance and achieving utility cost reductions."

11. Page 2, line 16.

Strike: "through 3"

Insert: "and 2"

12. Page 2, line 18.

Strike: "through 3"

Insert: "and 2"

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):

2/25/2013

HB 230, do pass. Report adopted.

HB 472, introduced bill, be amended as follows:

1. Page 7, line 8.

Strike: "secretary of state"

Insert: "department"

2. Page 7, line 12 through line 13.

Strike: subsection (5) in its entirety

Insert: "(5) The first \$250,000 in market value of class eight property of a person or business entity is exempt from taxation."

And, as amended, do pass. Report adopted.

HB 560, do pass. Report adopted.

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/23/2013

SB 34, introduced by Caferro

SB 160, introduced by Tropila

SB 176, introduced by Peterson

SB 181, introduced by Caferro

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SB 185, introduced by Sesso
SB 199, introduced by Thomas
SB 224, introduced by Debby Barrett
SB 270, introduced by Buttrey

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 15, introduced by Fiscus, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Jones in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 6 - Representative Cook moved **HB 6** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Brodehl, Jones, Kary, Kerns, O'Neil, Zolnikov.

Total 6

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 7 - Representative Cook moved **HB 7** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Brodehl, Doane, Kary, Kerns, O'Neil, Regier, White, Zolnikov.

Total 8

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 229 - Representative Reichner moved **HB 229** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: Warburton, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 310 - Representative C. Smith moved **HB 310** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 344 - Representative Hoven moved **HB 344** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Wilson.

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Total 1

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 352 - Representative Fitzpatrick moved **HB 352** do pass.

HB 352 - Representative Fitzpatrick moved **HB 352**, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "~~preside.~~"

Strike: "OF JUDGES," on line 15 through "JUSTICE'S COURT." on line 17

Insert: "and substitution of judges, provided for in 3-1-803 and 3-1-805, the justice of the peace shall:

(a) transfer the action to another justice's court in the same county; or

(b) request a district court judge presiding in the county to appoint a qualified substitute from the list provided in subsection (2) or call a justice from a neighboring county to preside."

Amendment adopted as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Ankney.

Total 1

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 352 - Representative Fitzpatrick moved **HB 352**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 365 - Representative Steenberg moved **HB 365** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 385 - Representative Lavin moved **HB 385** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 64

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Schreiner, Schwaderer, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 35

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

HB 399 - Representative Ballance moved **HB 399** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 95

Nays: J. Bennett, Miller, Schwaderer, Squires.

Total 4

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

HB 421 - Representative Blyton moved **HB 421** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Howard, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 79

Nays: Ankney, B. Bennett, Court, Dudik, Eck, Flynn, Gursky, Halvorson, Harris, Hollenbaugh, Hoven, Hunter, Kerns, McNally, Miller, Pomnichowski, Schwaderer, Squires, White, Williams, Zolnikov.
Total 21

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 444 - Representative Jacobson moved **HB 444** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Galt, Hansen, Harris, Hollandsworth, Randall, Regier, Zolnikov.

Total 7

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 464 - Representative Clark moved **HB 464** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Brodehl, Harris, Hoven, Kerns, Miller, Schwaderer, Zolnikov.

Total 7

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 494 - Representative Glimm moved **HB 494** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Hill, Welborn.
Total 2

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 499 - Representative Hill moved **HB 499** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Connell, Redfield, Vance.
Total 3

Voted Absentee: Warburton, Aye.

Excused: None.

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Total 0

Absent or not voting: Galt.

Total 1

HB 502 - Representative Brodehl moved **HB 502** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Edmunds, Squires.

Total 2

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Jones moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

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Nays: B. Bennett, Gursky, Lenz.

Total 3

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Halvorson.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 48 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

HB 84 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus,

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Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Brodehl, Cuffe, Glimm, Kerns, Osmundson.

Total 5

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

HB 256 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Fitzpatrick, Kerns, Miller, Pease-Lopez, Pomnichowski, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

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HB 273 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Squires.
Total 1

HB 286 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 81

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Flynn, Greef, Harris, Jones, Kerns, Miller, O'Neil, Redfield, Schwaderer, C. Smith, Welborn, Zolnikov.
Total 17

Voted Absentee: None.

Excused: Warburton.
Total 1

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Absent or not voting: Squires.

Total 1

HB 330 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Moore, Squires.

Total 2

HB 395 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

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Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

HB 396 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

HB 410 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jones, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Neill,

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Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilson, Woods, Zolnikov.
Total 36

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Squires.
Total 1

HB 411 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Kary, Knudsen, Lang, Lavin, Lenz, McNally, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Reichner, Salomon, Shaw, Steenberg, Vance, Wagoner, Washburn, Wilmer, Mr. Speaker.
Total 55

Nays: B. Bennett, Boss Ribs, Brockie, Clark, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Gursky, Hill, Hunter, Jones, Kerns, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Regier, Schreiner, Schwaderer, B. Smith, C. Smith, Swanson, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov.
Total 43

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Squires.
Total 1

HB 448 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff,

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Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

HB 461 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Edmunds, Fitzpatrick, Flynn, Galt, Hansen, Harris, Hollandsworth, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, McNiven, O'Neil, Osmundson, Randall, Regier, Schwaderer, C. Smith, Vance, Zolnikov.

Total 22

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: Squires.

Total 1

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HB 544 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 93

Nays: Kerns, O'Neil, Schwaderer, Zolnikov.
Total 4

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Greef, Squires.
Total 2

MOTIONS

Majority Leader Vance moved **HB 444** be moved from the Committee of the Whole to the Appropriations committee.

Representative O'Neil moved to reconsider action on **HB 384**.

Motion **passed** as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 50

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner,

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B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 48

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: Squires.
Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 10:00 a.m., Tuesday, February 26, 2013. Motion carried.

House adjourned at 2:35 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
FORTY-THIRD LEGISLATIVE DAY**

Helena, Montana
February 26, 2013

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Hansen. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Squires and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

2/26/2013

Correctly printed: **HB 19, HB 87, HB 168, HB 178, HB 216, HB 265, HB 284, HB 299, HB 329, HB 355, HB 391, HB 401, HB 417, HB 431, HB 433, HB 437, HB 438, HB 442, HB 445, HB 450, HB 459, HB 460, HB 473, HB 497, HB 501, HB 508, HB 513, HB 522, HB 533, HB 545, HB 552, HB 554, HB 555, HB 558, HB 562, HB 564, HB 575, HJR 11, HJR 14.**

Correctly engrossed: **HB 171, HB 297, HB 322, HB 384, HB 435, HB 524, HB 553, HJR 6.**

Transmitted to the Senate: **HB 48, HB 84, HB 256, HB 273, HB 286, HB 330, HB 395, HB 396, HB 410, HB 411, HB 448, HB 461, HB 544.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

2/25/2013

HB 19, do pass. Report adopted.

HB 168, do pass. Report adopted.

HB 171, introduced bill, be amended as follows:

1. Page 1, line 27.

Strike: "5"

Insert: "6"

2. Page 3, line 22.

Strike: "5"

Insert: "6"

3. Page 3, line 26.

Following: "services"

Insert: ", not to exceed 30% of state funds saved"

4. Page 4, line 2.

Strike: "5"

Insert: "6"

5. Page 4, line 5.

Following: line 4

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Insert: "NEW SECTION. Section 6. Recovered funds. (1) Any state funds that are recovered as a result of a review conducted under [sections 1 through 6] must be deposited in an account to the credit of the department.

(2) Any federal funds recovered as a result of a review conducted under [sections 1 through 6] must be returned to the federal special revenue account from which it originated."

Renumber: subsequent sections

6. Page 4, line 6.

Strike: "5"

Insert: "6"

7. Page 4, line 7.

Strike: "5"

Insert: "6"

And, as amended, do pass. Report adopted.

HB 178, do pass. Report adopted.

HB 284, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

2/26/2013

HB 297, introduced bill, be amended as follows:

1. Page 2, line 17.

Strike: "and"

Insert: "or"

2. Page 4, line 3.

Strike: "using the employment authorization program"

And, as amended, do pass. Report adopted.

HB 322, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "PROGRAMS;"

Insert: "PROVIDING FOR A REVERSION OF FUNDS;"

2. Page 2, line 4.

Following: line 3

Insert: "(6) On June 30 of each odd-numbered year, any funds in the account that are unencumbered must revert to the general fund."

3. Page 11, line 1.

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Following: "section."

Insert: "(4) On June 30 of each odd-numbered year, any unencumbered funds in the account in excess of \$400,000 must revert to the general fund."

And, as amended, do pass. Report adopted.

HB 355, do pass. Report adopted.

HB 435, introduced bill, be amended as follows:

1. Title, line 11.

Following: "90-6-206,"

Strike: "AND"

Following: "90-6-207,"

Insert: "AND 90-6-208,"

2. Page 4, line 1.

Strike: "EIGHT"

Insert: "12"

3. Page 5.

Following: line 15

Insert: "**Section 4.** Section 90-6-208, MCA, is amended to read:

"90-6-208. Applications for grants. (1) The governing body of a city, town, county, or school district, any other local or state governmental unit or agency, or the governing body of a federally recognized Indian tribe may apply for a grant to enable it to provide governmental services that are needed as a direct consequence of an increase or decrease of coal development or of an increase or decrease in the consumption of coal by a coal-using energy complex. The board shall prescribe the form for applications. Applicants shall describe the nature of their proposed expenditures and the time involved.

(2) An application by the governing body of a local government unit that is designated under 90-6-207(2) and that has proposed a railroad quiet zone under 49 CFR, parts 222 and 229, or that is designated under 90-6-207(3) must be accompanied by an application review fee of \$5."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

2/21/2013

HB 524, introduced bill, be amended as follows:

1. Title, line 4.

Strike: "REMOVING A"

Insert: "REVISING THE"

2. Page 1, line 16.

Following: "officials"

Insert: "and if operated in conjunction with another business, that business must be a grocery

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store or drugstore licensed as a pharmacy"

And, as amended, do pass. Report adopted.

HB 545, do pass. Report adopted.

EDUCATION (Hansen, Chair):

2/25/2013

HJR 14, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

2/25/2013

HJR 6, introduced joint resolution, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "OVERTURN" on line 6 through "COMMISSION" on line 7

Insert: "PROVIDE THAT CORPORATIONS, INCLUDING NONPROFIT CORPORATIONS, UNIONS, AND ASSOCIATIONS, ARE NOT HUMAN BEINGS WITH CONSTITUTIONAL RIGHTS"

2. Page 1, line 18.

Strike: "these decisions"

Insert: "the decisions in American Tradition Partnership v. Bullock and Citizens United v. FEC"

Following: "corporations"

Insert: "and unions"

3. Page 2, line 3.

Following: "committees"

Insert: "; and"

WHEREAS, limits on campaign expenditures and contributions apply to corporations, including nonprofit corporations, as well as unions and associations"

4. Page 2, line 10 through line 11.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

5. Page 2, line 12.

Following: "corporations"

Insert: ", including nonprofit corporations, unions, and associations,"

6. Page 2, line 13.

Following: "corporations"

Insert: ", unions, and associations"

And, as amended, do pass. Report adopted.

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NATURAL RESOURCES (Bennett, Chair):
HB 558, do pass. Report adopted.

2/25/2013

MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence:

2/25/2013

SB 175, introduced by L. Jones
SB 235, introduced by Buttrey
SB 250, introduced by Debby Barrett

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 575, introduced by Berry, G. Bennett, referred to Federal Relations, Energy, and Telecommunications.

The following Senate bills were introduced, read first time, and referred to committees:

SB 2, introduced by Facey (by request of the Education and Local Government Interim Committee), referred to Education.

SB 3, introduced by Essmann (by request of the Legislative Council), referred to State Administration.

SB 9, introduced by Murphy (by request of the Law and Justice Interim Committee), referred to Judiciary.

SB 11, introduced by Caferro, referred to Human Services.

SB 12, introduced by Lewis (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 18, introduced by Hamlett (by request of the Water Policy Committee), referred to Natural Resources.

SB 21, introduced by Arthun (by request of the Commissioner of Political Practices), referred to State Administration.

SB 23, introduced by Rosendale, referred to Local Government.

SB 24, introduced by Rosendale, referred to Natural Resources.

SB 26, introduced by Jergeson (by request of the Public Service Commission), referred to Federal Relations, Energy, and Telecommunications.

SB 28, introduced by Thomas (by request of the State Auditor), referred to Human Services.

SB 34, introduced by Caferro (by request of the State Auditor), referred to Business and Labor.

SB 44, introduced by Keane (by request of the Environmental Quality Council), referred to Natural Resources.

SB 49, introduced by Ripley (by request of the Legislative Finance Committee), referred to State Administration.

SB 61, introduced by Ripley (by request of the Department of Administration), referred to Business and Labor.

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SB 62, introduced by Ripley (by request of the Department of Administration), referred to Business and Labor.

SB 70, introduced by Walker (by request of the Department of Environmental Quality), referred to Natural Resources.

SB 103, introduced by Webb, referred to Human Services.

SB 104, introduced by Webb, Wittich, referred to Business and Labor.

SB 105, introduced by T. Brown, referred to Local Government.

SB 106, introduced by Jergeson, referred to Federal Relations, Energy, and Telecommunications.

SB 113, introduced by Blewett, referred to Judiciary.

SB 120, introduced by Buttrey, referred to Business and Labor.

SB 133, introduced by Rosendale, referred to Judiciary.

SB 138, introduced by Wittich, referred to Taxation.

SB 139, introduced by Walker, Arthun, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Fielder, Fiscus, Gibson, L. Jones, Lenz, Lewis, Miller, F. Moore, Osmundson, Ripley, Rosendale, Sales, C. Smith, Sonju, Taylor, Thomas, Wagoner, Wanzenried, Webb, Windy Boy, Wittich, referred to Business and Labor.

SB 144, introduced by Sesso, referred to Agriculture.

SB 145, introduced by F. Moore, Arntzen, Boulanger, Brenden, T. Brown, Fielder, Jackson, Lewis, Murphy, Priest, Rosendale, Sales, Sonju, Taylor, Vincent, Walker, Wittich, referred to Business and Labor.

SB 148, introduced by L. Jones, Berry, Blasdel, Buttrey, Hansen, Knudsen, O'Hara, Reichner, C. Smith, Sonju, Tutvedt, Vance, Welborn, Wittich, referred to Business and Labor.

SB 183, introduced by Arntzen, Greef, Halvorson, Larsen, Wagoner, Wittich, referred to Business and Labor.

SB 202, introduced by Kaufmann, referred to Transportation.

SB 211, introduced by F. Moore, referred to Agriculture.

SB 213, introduced by Larsen, Augare, Blewett, Boulanger, Dudik, Eck, Fielder, Gursky, Lieser, Lynch, McNally, Murphy, Peppers, Swanson, Vincent, Webb, Wilson, referred to Judiciary.

SB 225, introduced by Arntzen, Fitzpatrick, referred to Transportation.

SB 230, introduced by Wanzenried, Taylor, referred to Human Services.

SB 235, introduced by Buttrey, Cook, Curtis, Gibson, Lewis, Miller, referred to Business and Labor.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 3, introduced by Murphy (by request of the Law and Justice Interim Committee), referred to Judiciary.

SJR 4, introduced by Keane (by request of the Environmental Quality Council), referred to Natural Resources.

SJR 6, introduced by Olson (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.

SJR 10, introduced by Windy Boy, Augare, Ballance, Brockie, T. Brown, Buttrey, Hamlett, Hollandsworth, D. Jones, L. Jones, Keane, Pease-Lopez, Ripley, Stewart-Peregoy, Thomas, Vuckovich, referred to Education.

SJR 11, introduced by D. Brown, Arthun, Augare, G. Bennett, Blasdel, Blewett, Blyton, Buttrey, Cuffe, Driscoll, Hertz, Jackson, Keane, Kerns, Larsen, Lavin, Lenz, Lieser, Miller, Olson, Regier,

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Sesso, C. Smith, Sonju, Stewart-Peregoy, Taylor, Van Dyk, Wanzenried, Webb, Windy Boy, referred to Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 6 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Brodehl, Howard, Jones, Kary, Kerns, Laszloffy, O'Neil, White, Zolnikov.

Total 9

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 7 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

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Nays: J. Bennett, Brodehl, Doane, Hansen, Howard, Jones, Kary, Kerns, Laszloffy, O'Neil, Redfield, Regier, Salomon, White, Zolnikov.

Total 15

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 229 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Pease-Lopez, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 310 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

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Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 344 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Cuffe, Hertz, White, Wilson.

Total 4

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 352 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,

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Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 365 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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HB 385 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 35

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 399 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Miller, Schwaderer.

Total 2

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

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Absent or not voting: Glimm.

Total 1

HB 421 passed as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Howard, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Wilmer, Wilson, Woods, Mr. Speaker.

Total 74

Nays: Ankney, B. Bennett, J. Bennett, Court, Doane, Dudik, Flynn, Gursky, Halvorson, Harris, Hollenbaugh, Hoven, Hunter, Kerns, McChesney, Miller, O'Neil, Pomnichowski, B. Smith, C. Smith, White, Whitford, Williams, Zolnikov.

Total 24

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 464 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Brodehl, Cuffe, Harris, Hoven, Jones, Kerns, Miller, O'Neil, Zolnikov.

Total 9

Voted Absentee: None.

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Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 494 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 499 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

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Nays: Galt, Schwaderer, Vance.

Total 3

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 502 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Steenberg in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 299 - Representative Warburton moved **HB 299** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Kary, Kerns, Osmundson.
Total 3

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.
Total 0

Absent or not voting: Cook.
Total 1

HB 391 - Representative G. Bennett moved **HB 391** do pass.

Minority Leader Hunter rose on a **Point of Order** to say that Representative Halvorson's testimony was off the Bill. The Chair ruled that Minority Leader Hunter was correct.

HB 391 - Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 401 - Representative Welborn moved **HB 401** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Hansen, Redfield, Regier, White.

Total 4

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 417 - Representative Flynn moved **HB 417** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Connell, Fitzpatrick, Ingraham, Lavin, Lynch, Noonan.

Total 6

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: Boss Ribs.

Total 1

HB 431 - Representative Knudsen moved **HB 431** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Clark, Cook, Fitzpatrick, Hagan.

Total 4

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 433 - Representative O'Hara moved **HB 433** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 437 - Representative McNiven moved **HB 437** do pass. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 67

Nays: Ankney, Ballance, J. Bennett, Berry, Cuffe, Edmunds, Fitzpatrick, Galt, Gibson, Glimm, Halvorson, Hansen, Jones, Kerns, Knudsen, Lang, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Mr. Speaker.
Total 32

Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.

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Total 0

Absent or not voting: O'Hara.

Total 1

HB 552 - Representative Neill moved **HB 552** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns, Schwaderer.

Total 2

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 554 - Representative B. Smith moved **HB 554** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, Flynn, Gibson, Knudsen, O'Neil, Salomon, Schwaderer, Wagoner, Zolnikov.

Total 9

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Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 562 - Representative Swanson moved **HB 562** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 11 - Representative Regier moved **HJR 11** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 97

Nays: Hoven.

Total 1

Voted Absentee: Squires, Warburton, Wilmer, Aye

Excused: None.

Total 0

Absent or not voting: Lang, McCarthy.

Total 2

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Steenberg moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilson, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Bennett, Boland, Dudik, Gursky, McCarthy, Pease-Lopez, Schreiner, Williams, Woods.

Total 9

Voted Absentee: None

Excused: Squires, Warburton, Wilmer.

Total 3

Absent or not voting: Steenberg.

Total 1

Representative Hansen requested a **Point of Privilege**. On the discussion of the **Point of Order** on **HB 391**, typically when a **Point of Order** is called a recess should have been called to allow leadership a chance to review the situation. The appeal would have been seconded and the House would have had to vote. It is a non-debatable motion and should have gone to the board.

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Representative Hunter responded and agreed with what Representative Hansen said, he added that typically in the past it was not unusual for members of a caucus to rise in support of a **Point of Order**.

UNFINISHED BUSINESS

Mr. Speaker, I move that the following undersigned name be **ADDED** as sponsor to **HB 574**
Motion carried.

HB 574 (Edmunds Chief Sponsor)
MacDonald.

House Recessed.
House Reconvened.

Roll Call. All members present, except Representatives Squires, Warburton, and Wilmer, excused. Quorum present.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

- SB 40**, introduced by Buttrey, referred to Local Government.
- SB 45**, introduced by Keane (by request of the Energy and Telecommunications Interim Committee), referred to Federal Relations, Energy, and Telecommunications.
- SB 55**, introduced by Kaufmann (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Human Services.
- SB 56**, introduced by Jent (by request of the Department of Revenue), referred to Taxation.
- SB 57**, introduced by Jent (by request of the Secretary of State), referred to State Administration.
- SB 76**, introduced by Vincent (by request of the Department of Environmental Quality), referred to Natural Resources.
- SB 77**, introduced by Brenden, referred to Local Government.
- SB 83**, introduced by Murphy, referred to Fish, Wildlife and Parks.
- SB 86**, introduced by F. Moore (by request of the Department of Livestock), referred to Agriculture.
- SB 92**, introduced by Olson (by request of the Department of Environmental Quality), referred to Federal Relations, Energy, and Telecommunications.
- SB 93**, introduced by Vuckovich (by request of the Department of Administration), referred to Business and Labor.
- SB 94**, introduced by D. Brown, referred to Agriculture.
- SB 99**, introduced by Olson, referred to Transportation.
- SB 101**, introduced by Facey, referred to Fish, Wildlife and Parks.
- SB 118**, introduced by Thomas, Ballance, Boulanger, Connell, Ehli, Greef, Jent, Phillips,

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referred to Fish, Wildlife and Parks.

SB 136, introduced by Larsen, Buttrey, Caferro, Fielder, Hagan, Hamlett, Keane, McChesney, Olson, Tutvedt, Van Dyk, Vincent, Wittich, referred to Taxation.

SB 137, introduced by Olson, Regier, referred to Natural Resources.

SB 142, introduced by Wanzenried, referred to State Administration.

SB 149, introduced by Thomas, referred to Business and Labor.

SB 224, introduced by Debby Barrett, referred to State Administration.

SB 233, introduced by Peterson, Hamlett, Vincent, referred to Natural Resources.

SB 252, introduced by Rosendale, Doane, Halvorson, Knudsen, D. Moore, Salomon, referred to Agriculture.

SB 291, introduced by Arntzen, referred to Education.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 8, introduced by Larsen, Arthun, Augare, Debby Barrett, Dick Barrett, B. Bennett, G. Bennett, Blewett, Boland, Boulanger, Brenden, D. Brown, T. Brown, Buttrey, Caferro, Connell, Cook, Driscoll, Facey, Fielder, Flynn, Galt, Gibson, Greef, Hamlett, Harris, Hoven, Jackson, Jent, Jergeson, L. Jones, Keane, Lenz, Lewis, Lieser, MacDonald, Malek, McChesney, McClafferty, F. Moore, Murphy, Noonan, Olson, Peterson, Phillips, Price, Priest, Ripley, Rosendale, Sales, Salomon, Sesso, Shaw, Stewart-Peregoy, Taylor, Thomas, Tropila, Van Dyk, Vincent, Vuckovich, Wagoner, Wanzenried, Webb, Wilmer, Wittich, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Salomon in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 87 - Representative Welborn moved **HB 87** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 57

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones,

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Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Swanson, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 43

Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 216 - Representative Doane moved **HB 216** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 265 - Representative Fitzpatrick moved **HB 265** do pass.

HB 265 - Representative B. Bennett moved **HB 265**, second reading copy, be further amended as follows:

1. Page 6.

Following: line 12

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Insert: "NEW SECTION. Section 6. Contingent voidness. If [LC1821] is not passed and approved, then [this act] is void."

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 265 - Representative Fitzpatrick moved **HB 265** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Noonan, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

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Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 329 - Representative Brodehl moved **HB 329** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

On a **Point of Personal Privilege** Minority Leader Hunter refuted Representative Zolnikov's comments about his own comments. He emphasized that he did not say that people were not as knowledgeable about their own businesses as State Employees.

HB 384 - Representative O'Neil moved **HB 384** do pass.

HB 384 - Representative Fitzpatrick moved **HB 384**, second reading copy, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "PROVIDING" on line 6 through "SCHOOL;" on line 7

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2. Page 2, line 9.

Strike: "Except" through "for"

Insert: "For"

3. Page 2, line 11 through line 13.

Strike: subsection (c) in its entirety

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Salomon.

Total 1

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 384 - Representative O'Neil moved **HB 384**, as amended, do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 438 - Representative Ballance moved **HB 438** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 65

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 34

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

HB 442 - Representative Randall moved **HB 442** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Reichner.
Total 1

HB 445 - Representative Reichner moved **HB 445** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.
Total 51

Nays: Ballance, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 49

Voted Absentee: Squires, Warburton, Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 450 - Representative Hagan moved **HB 450** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Hollenbaugh, Hunter, Ingraham, Lieser, MacDonald, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 33

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 459 - Representative Kerns moved **HB 459** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 460 - Representative Hagan moved **HB 460** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 41

Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Salomon moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Welborn, White, Whitford, Williams, Wilson, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Bennett, Boland, Dudik, B. Smith, Woods.

Total 5

Voted Absentee: None

Excused: Squires, Warburton, Wilmer.

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Total 3

Absent or not voting: Coffin, Harris, Hollenbaugh, Lynch, Pease-Lopez, Washburn.

Total 6

House in Recess.

House Reconvened.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Salomon in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 473 - Representative Reichner moved **HB 473** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

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HB 497 - Representative White moved **HB 497** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Whitford, Zolnikov, Mr. Speaker.
Total 81

Nays: B. Bennett, Dudik, Eck, Gursky, Hill, MacDonald, Pease-Lopez, Pomnichowski, Schreiner, Squires, Steenberg, Swanson, Welborn, Williams, Wilmer, Wilson, Woods.
Total 17

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.
Total 0

Absent or not voting: Edmunds, Osmundson.
Total 2

HB 501 - Representative Berry moved **HB 501** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pierson, Price, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 75

Nays: Boland, Brockie, Brodehl, Court, Dudik, Eck, Hagstrom, Hill, Jacobson, Jones, Lang, MacDonald, McCarthy, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Redfield, Schreiner, B. Smith, Squires, Whitford, Wilmer, Wilson, Woods.
Total 25

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 508 - Representative Edmunds moved **HB 508** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 513 - Representative McChesney moved **HB 513** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.
Total 75

Nays: B. Bennett, Boss Ribs, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Pomnichowski, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson.

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Total 24

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Pease-Lopez.

Total 1

HB 522 - Representative Schwaderer moved **HB 522** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Doane, Fitzpatrick.

Total 2

HB 531 - Representative Lieser moved **HB 531** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Williams, Wilmer, Wilson, Woods.

Total 40

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.
Total 60

Voted Absentee: Squires, Aye; Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 533 - Representative Cook moved **HB 533** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 84

Nays: J. Bennett, Brodehl, Doane, Harris, Hoven, Kerns, Miller, O'Neil, Randall, Redfield, Regier, Reichner, Schwaderer, Vance, White, Zolnikov.
Total 16

Voted Absentee: Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 553 - Representative Halvorson moved **HB 553** do pass.

HB 553 - Representative Halvorson moved **HB 553**, second reading copy, be amended as follows:

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1. Title, page 1, line 6.

Strike: "SECTION"

Insert: "SECTIONS 82-4-422 AND"

2. Page 1, line 9.

Insert: "Section 1. Section 82-4-422, MCA, is amended to read:

"82-4-422. Powers, duties, and functions. (1) The department has the powers, duties, and functions to:

(a) issue permits when, on the basis of the information set forth in the application and an evaluation of the proposed opencut operations, the department finds that the requirements of this part and rules adopted to implement this part will be observed;

(b) amend permits in accordance with the provisions of 82-4-436;

(c) reclaim any affected land with respect to which a bond has been forfeited;

(d) make investigations or inspections that are considered necessary to ensure compliance with any provision of this part; and

(e) enforce and administer the provisions of this part and issue orders necessary to implement the provisions of this part.

(2) The board shall:

(a) adopt rules that pertain to opencut operations in order to accomplish the purposes of this part;

(b) adopt rules:

(i) establishing uniform procedures for filing of necessary records;

(ii) providing procedures for the issuance of permits and filing of annual reports; and

(iii) providing other administrative requirements that the board considers necessary to implement this part; ~~and~~

(c) conduct hearings and, for the purposes of conducting those hearings, administer oaths and affirmations, subpoena witnesses, compel attendance of witnesses, hear evidence, and require the production of any books, papers, correspondence, memoranda, agreements, documents, or other records relevant or material to the inquiry; and

(d) in a timely manner, assist landowners and operators in the development of resources governed by this part."

3. Page 2, line 19.

Following: "issue a"

Insert: "120-day"

4. Page 4, line 22.

Following: line 21

Insert: "(c) The conditional permit issued pursuant to subsection (4) expires 120 days from issuance, and opencut operations must cease until the application is acceptable."

Renumber: subsequent subsection

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 553 - Representative Halvorson moved **HB 553**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 62

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 555 - Representative Hill moved **HB 555** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Blyton, Brodehl, Connell, Doane, Edmunds, Fiscus, Galt, Glimm, Halvorson, Kerns, Miller, Osmundson, Randall, Redfield, Schwaderer, Vance, Washburn, Welborn, Zolnikov.

Total 19

Voted Absentee: Squires, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 564 - Representative Edmunds moved **HB 564** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagstrom, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Warburton, Aye; Squires, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Salomon moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Boland, Gursky, Lieser, McNally, Salomon, Swanson, Wilson, Woods.

Total 9

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: Harris.

Total 1

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence:

2/26/2013

SB 127, introduced by Buttrey

SB 182, introduced by Sonju

SB 207, introduced by Van Dyk

SB 223, introduced by Caferro

SB 239, introduced by Buttrey

SB 242, introduced by Sesso

SB 257, introduced by L. Jones

SB 258, introduced by Wittich

SB 259, introduced by Arntzen

SB 264, introduced by Arntzen

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SB 266, introduced by Rosendale
SB 292, introduced by Tutvedt
SB 296, introduced by Thomas
SB 306, introduced by Olson
SB 312, introduced by Sonju
SB 314, introduced by Wanzenried
SB 316, introduced by Fielder
SB 319, introduced by Sonju
SB 331, introduced by Murphy
SB 343, introduced by Arntzen

MESSAGES FROM THE GOVERNOR

February 26, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 164** sponsored by Representative Curtis on February 26, 2013.

Sincerely,

STEVE BULLOCK
Governor

MOTIONS

Representative Halvorson moved to change his vote on **HB 533** from Not Voting to Yes. Without objection, so ordered.

Representative Jacobson moved to change his vote on **HB 310** from Yes to No. Without objection, so ordered.

Majority Leader Vance moved **HB 565** be moved from the Natural Resources committee to the Business and Labor committee.

Representative Edmunds moved **HB 480** be moved from the Business and Labor committee to the Committee of the Whole.

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Motion failed as follows:

Yeas: Bangerter, B. Bennett, Boland, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Gursky, Hagan, Hill, Hollenbaugh, Howard, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Salomon, Schreiner, Schwaderer, Shaw, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Zolnikov.

Total 44

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Cook, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Welborn, White, Woods, Mr. Speaker.

Total 54

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

Representative Pease-Lopez moved **HB 319** be moved from the Human Services committee to the Committee of the Whole.

Motion failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 50

Voted Absentee: None

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Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

Representative Neill moved **HB 441** be moved from the Human Services committee to the Committee of the Whole.

Motion failed as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

Representative Curtis moved **HB 490** be moved from the Business and Labor committee to the Committee of the Whole.

Motion failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan,

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Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

Representative Hunter moved **HB 361** be moved from the Taxation committee to the Committee of the Whole.

Motion failed as follows:

Yeas: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Nays: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Voted Absentee: None

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

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Absent or not voting: Gursky.
Total 1

ANNOUNCEMENTS

Majority Leader moved that the House adjourn until 8:00 a.m., Wednesday, February 27, 2013.
Motion carried.

House adjourned at 5:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
February 27, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Halvorson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Squires and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

3/27/2013

Correctly printed: **HB 61, HB 171, HB 230, HB 297, HB 322, HB 336, HB 435, HB 447, HB 451, HB 455, HB 457, HB 462, HB 477, HB 485, HB 505, HB 510, HB 534, HB 538, HB 545, HB 547, HB 548, HB 558, HB 560, HJR 12, HJR 13, HJR 14.**

Correctly engrossed: **HB 472.**

Transmitted to the Senate: **HB 6, HB 7, HB 19, HB 87, HB 168, HB 178, HB 216, HB 229, HB 265, HB 284, HB 299, HB 310, HB 329, HB 344, HB 352, HB 355, HB 365, HB 385, HB 391, HB 399, HB 401, HB 417, HB 421, HB 431, HB 433, HB 437, HB 438, HB 442, HB 450, HB 459, HB 460, HB 464, HB 473, HB 494, HB 497, HB 499, HB 501, HB 502, HB 508, HB 513, HB 522, HB 533, HB 552, HB 553, HB 554, HB 555, HB 562, HB 564, HJR 11.**

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 19 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: J. Bennett, Doane, Jones, Kerns, Redfield, C. Smith, White.

Total 7

Voted Absentee: None.

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Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 87 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 58

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.
Total 40

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 168 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.
Total 80

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Nays: B. Bennett, J. Bennett, Coffin, Doane, Flynn, Hill, Kerns, McCarthy, Miller, Schreiner, Schwaderer, B. Smith, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 18

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 178 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Harris, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Welborn, White, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: Shaw.

Total 1

HB 216 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,

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O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: Berry.

Total 1

HB 265 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Noonan, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 284 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Glimm, Greef, Gursky,

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Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Bangerter, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Halvorson, Harris, Howard, Kary, Kerns, Laszloffy, Lenz, McNiven, Miller, O'Neil, Peppers, Randall, Regier, Reichner, Schwaderer, C. Smith, Wagoner, Zolnikov.

Total 26

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 299 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Kary, Kerns, Osmundson, C. Smith.

Total 4

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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HB 329 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 355 passed as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ankney, Ballance, J. Bennett, Brodehl, Cuffe, Doane, Hagan, Halvorson, Harris, Hollandsworth, Howard, Kerns, Laszloffy, Lenz, Miller, O'Neil, Schwaderer, Vance, White, Zolnikov.

Total 20

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

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Absent or not voting: None.

Total 0

HB 384 failed as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.

Total 45

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 53

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 391 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

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Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 401 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Hansen, Redfield, Regier, White.

Total 4

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 417 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

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Nays: Connell, Fitzpatrick, Lynch, Noonan.
Total 4

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 431 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 433 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,

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O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 437 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Washburn, Welborn, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 66

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Kerns, Knudsen, Lang, Laszloffy, Lavin, Miller, O'Neil, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, White, Whitford, Mr. Speaker.

Total 32

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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HB 438 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 442 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 445 failed as follows:

Yeas: Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, Vance, Washburn, White, Mr. Speaker.
Total 45

Nays: Ankney, Ballance, B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Ehli, Galt, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 53

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 450 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price,

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Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 459 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 460 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 66

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Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Galt, Glimm, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lenz, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Wagoner, Mr. Speaker.

Total 32

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 473 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 497 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns,

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Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.

Total 82

Nays: Court, Eck, Gursky, Hill, Jacobson, Lynch, MacDonald, McChesney, Pease-Lopez, Pomnichowski, Schreiner, Steenberg, Williams, Wilmer, Wilson, Woods.

Total 16

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 501 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Price, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 78

Nays: Boland, Brockie, Brodehl, Court, Dudik, Eck, Jacobson, Jones, Lang, MacDonald, McCarthy, McNiven, O'Neil, Peppers, Pomnichowski, Redfield, Schreiner, B. Smith, Whitford, Wilson.

Total 20

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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HB 508 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 513 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McClafferty, McNally, Neill, Pease-Lopez, Pomnichowski, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 26

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

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Absent or not voting: None.

Total 0

HB 522 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 533 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

Nays: J. Bennett, Brodehl, Doane, Harris, Hoven, Jones, Kerns, Miller, O'Neil, Randall, Redfield, Regier, Reichner, Vance, White, Zolnikov.

Total 16

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Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 552 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Kerns, Schwaderer.

Total 2

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 553 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty,

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McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 554 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Washburn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 88

Nays: Gibson, Knudsen, Lang, Lenz, O'Neil, Salomon, Wagoner, Welborn, Williams, Zolnikov.
Total 10

Voted Absentee: None.

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 555 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer,

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Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Galt, Glimm, Greef, Halvorson, Howard, Kerns, Laszloffy, Miller, Randall, Redfield, Schwaderer, Vance, Wagoner, Washburn, Zolnikov.

Total 22

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 562 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 564 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris,

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Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, C. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 43

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HJR 11 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Berry, Court, Hill, Hoven, MacDonald, Williams.

Total 6

Voted Absentee: None.

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lang in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 61 - Representative Lynch moved **HB 61** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 61

Nays: J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Zolnikov.

Total 39

Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 230 - Representative Reichner moved **HB 230** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 324 - Representative Warburton moved **HB 324** do pass. Motion **failed** as follows:

Yeas: Brodehl, Clark, Cook, Doane, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Hoven, Jones, Kary, Knudsen, Lang, Lenz, McNiven, Osmundson, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 29

Nays: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kerns, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 71

Voted Absentee: Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 336 - Representative Gibson moved **HB 336** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Harris, Hoven, Kerns, O'Neil.

Total 4

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 451 - Representative Galt moved **HB 451** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 455 - Representative Blyton moved **HB 455** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 91

Nays: Ankney, Cuffe, Halvorson, Miller, B. Smith, Wagoner, Whitford.
Total 7

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: J. Bennett, Shaw.
Total 2

HB 457 - Representative Price moved **HB 457** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Whitford, Williams, Wilmer, Wilson, Woods.
Total 71

Nays: Ballance, Brodehl, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Howard, Kary, Knudsen, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Reichner, Schwaderer, C. Smith, Vance, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 29

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Voted Absentee: Squires, Wilmer, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 462 - Representative D. Jones moved **HB 462** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: MacDonald, Squires, Wilmer.

Total 3

Voted Absentee: O'Hara, Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 472 - Representative B. Bennett moved **HB 472** do pass.

HB 472 - Representative Williams moved **HB 472**, second reading copy, be amended as follows:

1. Page 5, line 10.

Strike: "30" through "years,"

Insert: "30, 2014,"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: O'Hara.

Total 1

Absent or not voting: Williams.

Total 1

HB 472 - Representative G. Bennett moved **HB 472**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Coffin, Pease-Lopez, Pomnichowski, Wilson.

Total 4

Voted Absentee: O'Hara, Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 558 - Representative Lenz moved **HB 558** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 73

Nays: B. Bennett, Brockie, Coffin, Court, Curtis, Dudik, Fiscus, Hill, Howard, Jones, Lieser, Lynch, MacDonald, McClafferty, Miller, Neill, Noonan, Pease-Lopez, Pomnichowski, Randall, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 27

Voted Absentee: O'Hara, Warburton, Aye; Squires, Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 560 - Representative Pierson moved **HB 560** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Halvorson, McChesney.
Total 2

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Voted Absentee: O'Hara, Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 561 - Representative Fitzpatrick moved **HB 561** do pass.

HB 561 - Representative Fitzpatrick moved **HB 561**, second reading copy, be amended as follows:

1. Page 2, line 21 through line 22.

Strike: "when the water" on line 21 through "located" on line 22

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: Squires, Warburton, Wilmer, Aye.

Excused: O'Hara.

Total 1

Absent or not voting: Harris, Hollandsworth.

Total 2

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HB 561 - Representative Fitzpatrick moved **HB 561**, as amended, do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Connell, Doane, Ehli, Fiscus, Fitzpatrick, Glimm, Hagan, Hagstrom, Halvorson, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lavin, McNiven, O'Hara, O'Neil, Osmundson, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 33

Nays: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Flynn, Galt, Gibson, Greef, Gursky, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Kerns, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 67

Voted Absentee: O'Hara, Warburton, Aye; Squires, Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 12 - Representative Blasdel moved **HJR 12** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Kerns, Peppers.

Total 2

Voted Absentee: O'Hara, Squires, Warburton, Wilmer, Aye.

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Excused: None.

Total 0

Absent or not voting: McNally.

Total 1

HJR 13 - Representative Calf Boss Ribs moved **HJR 13** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, Doane, Hansen, Hoven, Kerns, O'Neil, Osmundson, Regier, C. Smith, White, Zolnikov.

Total 12

Voted Absentee: O'Hara, Squires, Warburton, Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Berry, Halvorson.

Total 2

HJR 14 - Representative Jacobson moved **HJR 14** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

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Nays: Brodehl, Fitzpatrick, Hoven, Howard, Kerns, Osmundson, Schwaderer.
Total 7

Voted Absentee: O'Hara, Squires, Warburton, Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Reichner.
Total 1

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lang moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: Harris, Redfield.
Total 2

Voted Absentee: None.

Excused: O'Hara, Squires, Warburton, Wilmer.
Total 4

Absent or not voting: None.
Total 0

House in Recess.
House Reconvened.

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MOTIONS

Representative Cuffe moved to change his vote on **HB 87** from Yes to No. Without objection, so ordered.

Representative Mehlhoff moved to change his vote on **HB 522** from No to Yes. Without objection, so ordered.

Representative Jacobson moved to change his vote on **HB 513** from No to Yes. Without objection, so ordered.

Representative McCarthy moved to change his vote on **HB 459** from Yes to No. Without objection, so ordered.

Representative Hill moved to change her vote on **HB 168** from Yes to No. Without objection, so ordered.

Representative Zolnikov moved to change his vote on **HB 561** from No to Yes. Without objection, so ordered.

Majority Leader Vance moved **HB 230** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 472** be moved from the Committee of the Whole to the Appropriations committee.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schwaderer in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 171 - Representative C. Smith moved **HB 171** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Lieser, MacDonald, McCarthy, Neill, Pease-Lopez, Peppers, Pomnichowski, Schreiner,

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B. Smith, Squires, Swanson, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: Knudsen, Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 297 - Representative Howard moved **HB 297** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 44

Voted Absentee: Knudsen, Warburton, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 322 - Representative Cuffe moved **HB 322** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B.

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Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Mr. Speaker.
Total 87

Nays: Brockie, Court, Harris, Kerns, MacDonald, McNiven, Pease-Lopez, Peppers, Pomnichowski, Squires, Wilson, Woods, Zolnikov.
Total 13

Voted Absentee: Knudsen, Warburton, Aye; Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 435 - Representative McChesney moved **HB 435** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Woods, Mr. Speaker.
Total 86

Nays: Fitzpatrick, Galt, Ingraham, Knudsen, Lavin, Miller, Pomnichowski, Randall, Redfield, Vance, White, Williams, Wilson, Zolnikov.
Total 14

Voted Absentee: Squires, Warburton, Aye; Knudsen, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 447 - Representative Peppers moved **HB 447** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Knudsen, O'Hara, Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 477 - Representative Berry moved **HB 477** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Greef, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 63

Nays: B. Bennett, J. Bennett, Boss Ribs, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Halvorson, Hansen, Harris, Hertz, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Miller, Osmundson, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Warburton, Welborn, Zolnikov, Mr. Speaker.
Total 37

Voted Absentee: O'Hara, Squires, Aye; Knudsen, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 485 - Representative Lavin moved **HB 485** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Knudsen, O'Hara, Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 505 - Representative Kerns moved **HB 505** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.
Total 54

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 45

Voted Absentee: Knudsen, O'Hara, Warburton, Aye; Squires, No.

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Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

HB 510 - Representative Ingraham moved **HB 510** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Cuffe, Glimm, Halvorson, Knudsen, Vance.

Total 5

Voted Absentee: O'Hara, Squires, Warburton, Aye; Knudsen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 515 - Representative Harris moved **HB 515** do pass. Motion **failed** as follows:

Yeas: Ankney, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 43

Nays: Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Gursky, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Schwaderer, B. Smith, Squires,

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Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 57

Voted Absentee: Knudsen, O'Hara, Warburton, Aye; Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 534 - Representative Williams moved **HB 534** do pass. Motion carried as follows:

Yeas: Ankney, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 52

Nays: Ballance, Bangerter, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Halvorson, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 48

Voted Absentee: O'Hara, Squires, Aye; Knudsen, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 538 - Representative Gursky moved **HB 538** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 53

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Nays: J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 47

Voted Absentee: O'Hara, Squires, Aye; Knudsen, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 545 - Representative Reichner moved **HB 545** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Harris.
Total 1

Voted Absentee: Knudsen, O'Hara, Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 547 - Representative Glimm moved **HB 547** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen,

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Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Boland, Court, Pease-Lopez, Pomnichowski, Price, Williams, Wilson.
Total 7

Voted Absentee: Knudsen, O'Hara, Squires, Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 548 - Representative Zolnikov moved **HB 548** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 76

Nays: B. Bennett, Berry, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hunter, Kary, Lieser, MacDonald, McClafferty, McNiven, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Squires, Williams, Wilson.
Total 24

Voted Absentee: Knudsen, O'Hara, Warburton, Aye; Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 6 - Representative Hill moved **HJR 6** be adopted. Motion **failed** as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 49

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 51

Voted Absentee: Squires, Aye; Knudsen, Warburton, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Schwaderer moved the Committee of the Whole report be adopted. Report was adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.
Total 82

Nays: B. Bennett, Boland, Court, Gursky, Lieser, MacDonald, McCarthy, Pease-Lopez, Redfield, B. Smith, Whitford, Woods.
Total 12

Voted Absentee: None

Excused: Knudsen, Squires, Warburton.

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Total 3

Absent or not voting: Hollandsworth, Lenz, Peppers.

Total 3

MESSAGES FROM THE GOVERNOR

February 27, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 36** sponsored by Representative Boland, **House Bill 114** sponsored by Representative Clark, **House Bill 115** sponsored by Representative Clark, **House Bill 138** sponsored by Representative Hertz, **House Bill 192** sponsored by Representative Hagan, **House Bill 193** sponsored by Representative Hagan, and **House Bill 202** sponsored by Representative Hagan on February 27, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 81, introduced by Lewis, referred to Taxation.

SB 114, introduced by Taylor, Murphy, Regier, Sonju, referred to Transportation.

SB 134, introduced by Brenden, Arthun, Debby Barrett, Boulanger, Keane, Lewis, Olson, Ripley, Rosendale, Sales, Thomas, Vincent, Walker, Webb, referred to Judiciary.

SB 146, introduced by Buttrey, referred to Local Government.

SB 147, introduced by Buttrey, referred to Local Government.

SB 162, introduced by Keane, referred to Agriculture.

SB 165, introduced by Caferro, Arntzen, referred to Education.

SB 172, introduced by Walker, Lewis, Sonju, referred to Human Services.

SB 174, introduced by Keane, referred to Business and Labor.

SB 176, introduced by Peterson, T. Brown, Larsen, F. Moore, Sesso, referred to State Administration.

SB 181, introduced by Caferro, C. Smith, referred to Human Services.

SB 182, introduced by Sonju, referred to Transportation.

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SB 189, introduced by Webb, Arntzen, Boulanger, Caferro, Fielder, Kary, Lenz, Murphy, Taylor, referred to Judiciary.

SB 198, introduced by Thomas, Boland, Boulanger, Brenden, Fitzpatrick, Hoven, Jacobson, Larsen, O'Hara, Tropila, Van Dyk, referred to Judiciary.

SB 207, introduced by Van Dyk, referred to Judiciary.

S B 223, introduced by Caferro, referred to Human Services.

SB 257, introduced by L. Jones, Arntzen, Cook, Hollandsworth, Ripley, referred to Education.

SB 258, introduced by Wittich, Ankney, Arthun, B. Bennett, Berry, Blasdel, Coffin, Dudik, Eck, Facey, Fitzpatrick, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jent, Keane, Larsen, MacDonald, Reichner, Sesso, Tropila, Tutvedt, Williams, Windy Boy, referred to State Administration.

SB 259, introduced by Arntzen, Laszloffy, referred to Judiciary.

SB 264, introduced by Arntzen, referred to Business and Labor.

SB 266, introduced by Rosendale, referred to Business and Labor.

SB 270, introduced by Buttrey, Caferro, Fitzpatrick, Noonan, Priest, referred to Human Services.

SB 292, introduced by Tutvedt, referred to Human Services.

SB 296, introduced by Thomas, referred to Human Services.

SB 306, introduced by Olson, Kaufmann, Larsen, referred to Judiciary.

SB 312, introduced by Sonju, referred to State Administration.

SB 316, introduced by Fielder, referred to Local Government.

SB 319, introduced by Sonju, Arntzen, Hollenbaugh, Lavin, referred to Transportation.

SB 331, introduced by Murphy, referred to Judiciary.

SB 343, introduced by Arntzen, referred to Business and Labor.

MOTIONS

Majority Leader Vance moved **HB 447** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Thursday, February 28, 2013. Motion carried.

House adjourned at 3:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
February 28, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Coffin. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Squires and Warburton, excused.
Quorum present.

BILLS (O'Hara, Chair): 2/28/2013

Correctly printed: **HB 576, HB 577, HJR 16.**

Transmitted to the Senate: **HB 61, HB 171, HB 297, HB 322, HB 336, HB 435, HB 451, HB 455, HB 457, HB 462, HB 477, HB 485, HB 505, HB 510, HB 534, HB 545, HB 547, HB 548, HB 558, HB 560, HJR 12, HJR 13, HJR 14.**

MESSAGES FROM THE SENATE

Senate bills passed and transmitted to the House for concurrence: 2/27/2013

SB 7, introduced by Caferro
SB 19, introduced by Hamlett
SB 128, introduced by Buttrey
SB 135, introduced by Wittich
SB 153, introduced by Thomas
SB 173, introduced by Keane
SB 180, introduced by Debby Barrett
SB 195, introduced by Blewett
SB 215, introduced by F. Moore
SB 237, introduced by Brenden
SB 241, introduced by Brenden
SB 251, introduced by Wittich
SB 256, introduced by F. Moore
SB 262, introduced by Brenden
SB 265, introduced by Jackson
SB 267, introduced by Thomas
SB 269, introduced by Walker
SB 271, introduced by Thomas
SB 272, introduced by Windy Boy
SB 275, introduced by Buttrey
SB 288, introduced by Vincent
SB 290, introduced by Arntzen
SB 293, introduced by Tutvedt

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SB 297, introduced by Arntzen
SB 298, introduced by Windy Boy
SB 299, introduced by F. Moore
SB 302, introduced by Arntzen
SB 305, introduced by Peterson
SB 320, introduced by Vincent
SB 323, introduced by Thomas
SB 324, introduced by Rosendale
SB 325, introduced by Olson
SB 326, introduced by Malek
SB 327, introduced by Olson
SB 328, introduced by Augare
SB 332, introduced by Tutvedt
SB 335, introduced by Hamlett
SB 336, introduced by Hamlett
SB 337, introduced by Hamlett
SB 340, introduced by Brenden
SB 341, introduced by Fielder
SB 342, introduced by Windy Boy
SB 344, introduced by Vincent
SB 345, introduced by Vincent
SB 346, introduced by Vincent
SB 347, introduced by Vincent
SB 350, introduced by Tutvedt
SB 351, introduced by Olson
SB 352, introduced by Thomas
SB 356, introduced by Arntzen
SB 361, introduced by Tutvedt
SB 364, introduced by Vincent
SB 366, introduced by Arthun
SB 370, introduced by Essmann
SB 372, introduced by Boulanger

Senate joint resolutions passed and transmitted to the House for concurrence: 2/27/2013

SJR 13, introduced by T. Brown
SJR 17, introduced by Jackson
SJR 18, introduced by Thomas
SJR 19, introduced by Larsen

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

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HB 576, introduced by Hertz, Blasdel, Hansen, Knudsen, McNiven, Redfield, Salomon, Schwaderer, Taylor, Vance, Wittich, referred to Education.

HB 577, introduced by Osmundson, referred to Appropriations.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 16, introduced by Eck, referred to Human Services.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 61 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gursky, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 57

Nays: J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Connell, B. Smith.

Total 2

HB 171 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon,

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Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White,
Whitford, Zolnikov, Mr. Speaker.
Total 74

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Eck, Gursky, Hill, Lieser,
MacDonald, McCarthy, Neill, Pease-Lopez, Peppers, Pomnichowski, B. Smith, Steenberg,
Swanson, Williams, Wilmer, Wilson, Woods.
Total 24

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 297 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane,
Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom,
Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jacobson, Kary, Kerns,
Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, Osmundson,
Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Washburn,
Welborn, White, Zolnikov, Mr. Speaker.
Total 56

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck,
Gursky, Hill, Hollenbaugh, Hoven, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney,
McClafferty, McNally, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson,
Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Whitford,
Williams, Wilmer, Wilson, Woods.
Total 41

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: Jones.
Total 1

HB 322 passed as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Mr. Speaker.

Total 88

Nays: Brockie, Court, Harris, Kerns, MacDonald, McNiven, Pease-Lopez, Pomnichowski, Wilson, Zolnikov.

Total 10

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 336 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Harris, Hoven, O'Neil.

Total 3

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

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Total 0

HB 435 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Wagoner, Welborn, Whitford, Wilmer, Woods, Mr. Speaker.

Total 77

Nays: Fiscus, Fitzpatrick, Galt, Halvorson, Harris, Howard, Ingraham, Knudsen, Lavin, Miller, Pomnichowski, Randall, Redfield, Schwaderer, C. Smith, Vance, Washburn, White, Williams, Wilson, Zolnikov.

Total 21

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 451 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None

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Excused: Squires, Warburton.
Total 2

Absent or not voting: Jones.
Total 1

HB 455 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Washburn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: Ankney, Berry, Halvorson, Miller, B. Smith, Wagoner, Welborn, Whitford.
Total 8

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 457 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Gibson, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: Ballance, J. Bennett, Brodehl, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Howard, Kary, Knudsen, Lang, Laszloffy, Lenz, Miller, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov.

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Total 29

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Harris.

Total 1

HB 462 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Pease-Lopez, Swanson.

Total 2

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Cuffe.

Total 1

HB 477 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Greef, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

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Nays: B. Bennett, Blyton, Boss Ribs, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Halvorson, Hansen, Harris, Hertz, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: O'Hara.

Total 1

HB 505 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns,

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Knudsen, Lang, Laszloffy, Lavin, McNiven, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Mr. Speaker.
Total 51

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 46

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: Lenz.
Total 1

HB 510 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: Cuffe, Halvorson, Knudsen, Vance.
Total 4

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 534 passed as follows:

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Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 50

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.
Total 48

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 538 failed as follows:

Yeas: Ballance, Bangerter, B. Bennett, Boland, Boss Ribs, Coffin, Connell, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hagstrom, Harris, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 46

Nays: Ankney, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 51

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: Brockie.
Total 1

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HB 545 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Harris.

Total 1

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Jones.

Total 1

HB 547 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: B. Bennett, Boland, Brockie, Court, Lieser, MacDonald, Pease-Lopez, Pomnichowski, Price, Williams, Wilson.

Total 11

Voted Absentee: None

Excused: Squires, Warburton.

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Total 2

Absent or not voting: None.

Total 0

HB 548 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Cuffe, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Swanson, Williams, Wilson, Woods.
Total 29

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

HB 558 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 74

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Gursky, Howard, Lieser, Lynch, Miller, Neill, Pease-Lopez, Pomnichowski, Randall, Redfield, Schreiner, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 23

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Dudik.

Total 1

HB 560 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: Lang.

Total 1

HJR 12 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson,

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Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Court, Kerns, Neill.

Total 4

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HJR 13 adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Flynn, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hoven, Howard, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, Miller, O'Neil, Osmundson, Regier, C. Smith, Wagoner, Washburn, White, Zolnikov.

Total 28

Voted Absentee: None

Excused: Squires, Warburton.

Total 2

Absent or not voting: None.

Total 0

HJR 14 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang,

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Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: J. Bennett, Brodehl, Fitzpatrick, Harris, Hoven, Howard, Kerns, Osmundson.
Total 8

Voted Absentee: None

Excused: Squires, Warburton.
Total 2

Absent or not voting: None.
Total 0

SPECIAL ORDERS OF THE DAY

Representative Schreiner thanked the pages for their service.

Minority Leader Hunter addressed the House of Representatives.
Majority Leader Vance addressed the House of Representatives.

ANNOUNCEMENTS

Representative Vance moved that the House adjourn until 5:00 p.m., Monday, March 4, 2013.
Motion carried.

House adjourned at 8:30 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 4, 2013

House Chambers
State Capitol

House convened at 5:00 p.m. Mr. Speaker presiding. Invocation by Representative Salomon. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berry, Calf Boss Ribs, Doane, McNally, B. Smith, Squires, and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 3/4/2013

Correctly printed: **HB 578, HB 579.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair): 3/4/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Thursday, February 28, 2013:

Lauren Bolton, Anaconda
Emma Johnson, Helena
Benjamin Walborn, Helena
Owen Madsen, Great Falls
Cassidee Boland, Cascade
Nicole Ribeiro, Thompson Falls
Julia Brantley, Great Falls
Chase Dart, Great Falls

and recommend that the following pages of the House be employed as of 5:00 p.m., Monday, March 4, 2013:

MaKylyn Landon, Great Falls
Aidan Wade, Helena
Rachel Skaar, Helena
Brant Marsh, Sheridan
Amanda Halko, Sand Coulee
Logan Schuelke, Butte
Kendall Alley, Butte

Report Adopted.

HOUSE JOURNAL
FORTY-SIXTH LEGISLATIVE DAY - MARCH 4, 2013

MESSAGES FROM THE GOVERNOR

February 28, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 148** sponsored by Representative Connell, **House Bill 152** sponsored by Representative Fitzpatrick, and **House Bill 155** sponsored by Representative D. Moore on February 28, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 578, introduced by Miller, referred to Taxation.

HB 579, introduced by Hagan, Ankney, Blasdel, Buttrey, Edmunds, Fitzpatrick, Hansen, Hollenbaugh, Knudsen, Larsen, Mehlhoff, O'Hara, Olson, Pierson, Price, Vance, Wagoner, Wanzenried, Welborn, Zolnikov, referred to State Administration.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, March 5, 2013.
Motion carried.

House adjourned at 5:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 5, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Howard.

Roll Call. All members present, except Representatives Calf Boss Ribs, Doane, Halvorson, McNally, B. Smith, and Squires, excused. Quorum present.

BILLS (O'Hara, Chair):

3/5/2013

Correctly printed: **HB 580**.

MESSAGES FROM THE GOVERNOR

March 5, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 47** sponsored by Representative McClafferty, **House Bill 63** sponsored by Representative Pomnichowski, **House Bill 141** sponsored by Representative Noonan, and **House Bill 169** sponsored by Representative White on March 5, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 580, introduced by Connell, Hamlett, referred to Appropriations.

The following Senate bill was introduced, read first time, and referred to committee:

SB 197, introduced by Boulanger, Arthun, Brenden, Buttrey, Connell, Doane, Fielder, Galt, Kary, Knudsen, Lewis, Olson, Redfield, Ripley, Rosendale, Sales, Taylor, Thomas, Vincent, Washburn, Webb, Welborn, White, Zolnikov, referred to Fish, Wildlife and Parks.

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FORTY-SEVENTH LEGISLATIVE DAY - MARCH 5, 2013

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn for the purpose of a Historical Session Re-Enactment and Charlie Russell Rededication - A Celebration of 100 Years in the House Chamber. Immediately after the special session the House would adjourn until 1:00 p.m., Wednesday, March 6, 2013. Motion carried.

House adjourned at 3:05 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 6, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Bangerter. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson and McNally excused. Quorum present.

BILLS (O'Hara, Chair): 3/6/2013

Correctly printed: **HB 313, HB 465, HB 581, SB 41, SB 43, SB 104, SB 123, SB 164.**
Correctly engrossed: **HB 39.**

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair): 3/6/2013
SB 104, be concurred in. Report adopted.

MESSAGES FROM THE GOVERNOR

March 1, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 77** sponsored by Representative Ingraham on March 1, 2013.

Sincerely,

STEVE BULLOCK
Governor

HOUSE JOURNAL
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 6, 2013

March 5, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel and President Essmann,

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto HB 18, "AN ACT CLARIFYING THE DISTRIBUTIONS AND AMOUNTS TO BE TRANSFERRED FROM THE STATE GENERAL FUND TO THE RESEARCH AND COMMERCIALIZATION STATE SPECIAL REVENUE ACCOUNT; AMENDING SECTIONS 7-14-112, 10-2-112, 10-2-603, 10-3-801, 15-1-122, AND 15-35-108, MCA; AND PROVIDING AN EFFECTIVE DATE."

HB 18 was introduced at the recommendation of the Legislative Finance Committee to clarify the distribution mechanism for fund transfers from the general fund to the research and commercialization state special revenue account. HB 18 is an internal accounting fix that does not change the statutory appropriation to the research and commercialization state special revenue account. This technical fix unfortunately creates a conflict with HB 454 which will use spendable interest from the Permanent Fund of the Coal Tax Trust to help offset the costs of local governments. The Board of Research and Commercialization plays an important role in ensuring that work done at the Montana University System can translate into the market place, which is why I've proposed maintaining present law funding for the board in my Executive Budget.

As outlined in the budget I submitted to the Legislature, I believe we have an obligation to address our long-term liabilities and honor the promises made by our predecessors. This obligation includes fixing our retirement systems. HB 454, which is supported by a broad coalition including public employers and employees from across Montana, will temporarily increase employee and employer contributions to the public employee retiree system until the system is determined to be actuarially sound. It utilizes some of the spendable interest from the Permanent Fund of the Coal Tax Trust, coal severance tax revenues and state land revenues to assist local governments in meeting their financial obligations. Article VIII, section 15 of the Montana Constitution compels us to act, and HB 454 provides a comprehensive solution of shared sacrifice to shore up our public employee retirement system without raising taxes.

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Because HB 18 interferes with the comprehensive proposal to bring our retirement systems back to sound actuarial footing, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 581, introduced by Hansen, G. Bennett, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Kary in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 39 - Representative McChesney moved **HB 39**, do pass.

HB 39 - Representative McChesney moved **HB 39**, second reading copy, be amended as follows:

1. Page 2, line 7.

Strike: "state or"

2. Page 2, line 8.

Strike: "state or"

3. Page 3, line 13.

Following: "∴"

Insert: "as follows:

(a) 70% of the excess amount must be remitted to the state to be deposited in the guarantee account provided for in 20-9-622; and

(b) 30% of the excess amount must be remitted"

4. Page 4, line 13.

Following: "ALLOCATED"

Insert: "as follows:

(a) 70% of the excess amount must be remitted to the state to be deposited in the

HOUSE JOURNAL
FORTY-EIGHTH LEGISLATIVE DAY - MARCH 6, 2013

guarantee account provided for in 20-9-622; and
(b) 30% of the excess amount must be remitted"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 39 - Representative McChesney moved **HB 39**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Kerns, O'Neil.
Total 2

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Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 263 - Representative Ingraham moved **HB 263** do pass. Motion **failed** as follows:

Yeas: Berry, Clark, Connell, Cook, Edmunds, Flynn, Harris, Hoven, Howard, Ingraham, Jones, Kerns, Knudsen, Lang, Moore, O'Hara, Osmundson, Redfield, C. Smith, Warburton, Washburn, Zolnikov.

Total 22

Nays: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Voted Absentee: Doane, Halvorson, McNally, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 313 - Representative Schreiner moved **HB 313** do pass. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 67

Nays: Ankney, Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fiscus, Flynn, Galt, Gibson, Glimm,

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Halvorson, Harris, Hollandsworth, Howard, Ingraham, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Redfield, Reichner, C. Smith, Vance, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 32

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.

Total 0

Absent or not voting: Edmunds.

Total 1

HB 465 - Representative Blyton moved **HB 465** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Bolland, Brockie, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Ehli, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Schwaderer, Shaw, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Wilson, Woods.

Total 60

Nays: J. Bennett, Boss Ribs, Brodehl, Court, Cuffe, Eck, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Hagstrom, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, McCarthy, McNiven, Miller, Moore, O'Neil, Randall, Redfield, Reichner, Salomon, B. Smith, C. Smith, Wagoner, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 40

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 41 - Representative Hagan moved **SB 41** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance,

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Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Doane, Halvorson, Aye; McNally, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 43 - Representative Wagoner moved **SB 43** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: O'Neil.

Total 1

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 123 - Representative Welborn moved **SB 123** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 75

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Glimm, Halvorson, Harris, Jones, Kerns, Knudsen, Lenz, McNiven, Miller, O'Neil, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.
Total 24

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.
Total 0

Absent or not voting: Osmundson.
Total 1

SB 164 - Representative Regier moved **SB 164** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Doane, Halvorson, McNally, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Kary moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Lang.

Total 1

Voted Absentee: None.

Excused: Doane, Halvorson, McNally.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 39** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 43** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

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FORTY-EIGHTH LEGISLATIVE DAY - MARCH 6, 2013

Representative Vance moved that the House adjourn until 1:00 p.m., Thursday, March 7, 2013.
Motion carried.

House adjourned at 2:35 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FORTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 7, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Kary. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson, and McNally excused. Quorum present.

BILLS (O'Hara, Chair):

3/7/2013

Correctly printed: **HB 373, HB 393, HB 415, HB 488, HB 524, HB 582, HJR 17, SB 61, SB 62.**

Correctly engrossed: **HB 489, HB 542.**

Correctly enrolled: **HB 28, HB 123, HB 190, HB 212.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, and thirtieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

3/7/2013

SB 61, be concurred in. Report adopted.

SB 62, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/6/2013

HB 542, introduced bill, be amended as follows:

1. Title, page 1, line 8 through line 10.

Strike: "ADDING" on line 8 through "DRIVING;" on line 10

2. Title, page 1, line 10.

Strike: "SECTIONS 61-8-301,"

Insert: "SECTION"

Strike: "61-8-715," through "61-9-402,"

3. Page 1, line 15 through page 2, line 6.

Strike: section 1 in its entirety

Renumber: subsequent sections

4. Page 3, line 8 through line 9.

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Strike: subsection (5) in its entirety

5. Page 3, line 11 through page 5, line 4.

Strike: sections 3 and 4 in their entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

March 7, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 81** sponsored by Representative Ankney on March 7, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 582, introduced by Hertz, referred to Business and Labor.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 17, introduced by Gibson, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 14, introduced by Wanzenried (by request of the Office of Public Instruction), referred to Education.

SB 33, introduced by Jent (by request of the Department of Military Affairs), referred to State Administration.

SB 48, introduced by Jergeson (by request of the Department of Natural Resources and Conservation), referred to Natural Resources.

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SB 63, introduced by Blewett (by request of the Department of Military Affairs), referred to State Administration.

SB 67, introduced by Van Dyk (by request of the State Administration and Veterans' Affairs Interim Committee), referred to State Administration.

SB 69, introduced by Walker (by request of the Select Committee on Efficiency in Government), referred to Human Services.

SB 107, introduced by Facey, Schwaderer, referred to Judiciary.

SB 112, introduced by Blewett, referred to Education.

SB 116, introduced by Arthun, referred to Transportation.

SB 122, introduced by Facey, referred to State Administration.

SB 125, introduced by Olson, Arthun, Clark, Jackson, L. Jones, Kary, Knudsen, O'Hara, Taylor, Walker, Zolnikov, referred to Federal Relations, Energy, and Telecommunications.

SB 127, introduced by Buttrey, referred to Business and Labor.

SB 128, introduced by Buttrey, referred to Business and Labor.

SB 132, introduced by Jergeson, referred to Local Government.

SB 135, introduced by Wittich, referred to Education.

SB 154, introduced by Vincent, referred to Natural Resources.

SB 185, introduced by Sesso, Ankney, Caferro, Jent, Larsen, Shaw, referred to State Administration.

SB 194, introduced by Blewett, Murphy, referred to Judiciary.

SB 195, introduced by Blewett, Zolnikov, Miller, referred to Business and Labor.

SB 201, introduced by Hamlett, Connell, referred to Natural Resources.

SB 203, introduced by Buttrey, Arthun, Brenden, Hamlett, L. Jones, Larsen, Mehlhoff, Price, Taylor, Windy Boy, referred to Education.

SB 209, introduced by Arthun, Bangerter, referred to Local Government.

SB 215, introduced by F. Moore, referred to Agriculture.

SB 217, introduced by Hamlett, Connell, referred to Natural Resources.

SB 239, introduced by Buttrey, referred to Taxation.

SB 242, introduced by Sesso, Ankney, Buttrey, Cuffe, Hollenbaugh, Keane, Larsen, Lynch, McClafferty, Wittich, referred to State Administration.

SB 245, introduced by Arthun, referred to Local Government.

SB 249, introduced by Debby Barrett, referred to Fish, Wildlife and Parks.

SB 250, introduced by Debby Barrett, Brenden, Fielder, Hamlett, Ripley, Thomas, referred to Agriculture.

SB 251, introduced by Wittich, Dudik, Jent, Knudsen, referred to Judiciary.

SB 256, introduced by F. Moore, Arthun, Debby Barrett, Boulanger, Brenden, T. Brown, Flynn, Harris, Redfield, Ripley, Rosendale, Salomon, Taylor, Thomas, Vincent, Walker, referred to Agriculture.

SB 262, introduced by Brenden, referred to Natural Resources.

SB 267, introduced by Thomas, Phillips, Wanzenried, referred to Judiciary.

SB 272, introduced by Windy Boy, B. Bennett, Boland, Caferro, Dudik, Gursky, Hamlett, Kaufmann, Lieser, Pease-Lopez, Peppers, Pierson, B. Smith, Stewart-Peregoy, Vuckovich, Whitford, referred to Human Services.

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SB 275, introduced by Buttrey, Arthun, Edmunds, Hagan, Ingraham, Jent, Larsen, McCarthy, Mehlhoff, Williams, Wittich, referred to Transportation.

SB 288, introduced by Vincent, Olson, referred to Federal Relations, Energy, and Telecommunications.

SB 293, introduced by Tutvedt, referred to Local Government.

SB 297, introduced by Arntzen, Knudsen, referred to Human Services.

SB 298, introduced by Windy Boy, Brockie, Caferro, Dudik, Hamlett, Pease-Lopez, referred to Human Services.

SB 302, introduced by Arntzen, referred to Education.

SB 305, introduced by Peterson, referred to Agriculture.

SB 314, introduced by Wanzenried, referred to Transportation.

SB 323, introduced by Thomas, referred to Business and Labor.

SB 324, introduced by Rosendale, Buttrey, Edmunds, Hertz, Hill, Kary, Larsen, D. Moore, Washburn, referred to Local Government.

SB 325, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.

SB 326, introduced by Malek, Arntzen, Augare, Dick Barrett, Blewett, Buttrey, Coffin, Driscoll, Gursky, Hill, Jackson, Jent, L. Jones, Kary, Kaufmann, Keane, Larsen, MacDonald, McCarthy, Olson, Phillips, Sales, Sonju, Vincent, Van Dyk, referred to Judiciary.

SB 327, introduced by Olson, referred to Federal Relations, Energy, and Telecommunications.

SB 328, introduced by Augare, Boulanger, Jent, Malek, O'Hara, C. Smith, Stewart-Peregoy, Taylor, Vincent, Windy Boy, Wittich, referred to Fish, Wildlife and Parks.

SB 332, introduced by Tutvedt, Connell, referred to Agriculture.

SB 332, introduced by Tutvedt, Connell, referred to Natural Resources.

SB 336, introduced by Hamlett, Connell, McChesney, referred to Natural Resources.

SB 337, introduced by Hamlett, Debby Barrett, Connell, McChesney, Peterson, Stewart-Peregoy, Vincent, referred to Judiciary.

SB 340, introduced by Brenden, referred to Education.

SB 341, introduced by Fielder, Hamlett, Murphy, referred to Fish, Wildlife and Parks.

SB 342, introduced by Windy Boy, Hansen, referred to Education.

SB 344, introduced by Vincent, referred to Fish, Wildlife and Parks.

SB 345, introduced by Vincent, referred to Natural Resources.

SB 346, introduced by Vincent, referred to Natural Resources.

SB 347, introduced by Vincent, referred to Natural Resources.

SB 351, introduced by Olson, referred to Human Services.

SB 356, introduced by Arntzen, referred to Education.

SB 361, introduced by Tutvedt, referred to Taxation.

SB 364, introduced by Vincent, referred to Natural Resources.

SB 366, introduced by Arthun, referred to Natural Resources.

SB 370, introduced by Essmann, referred to Taxation.

SB 372, introduced by Boulanger, referred to Judiciary.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 13, introduced by T. Brown, Ankney, Arntzen, Arthun, Ballance, Debby Barrett, Berry,

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Brenden, Buttrey, Driscoll, Fielder, Fiscus, Hamlett, Hollandsworth, Jackson, D. Jones, L. Jones, Larsen, Lewis, Mehlhoff, F. Moore, Olson, Priest, Rosendale, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Walker, Webb, Windy Boy, Wittich, referred to Education.

SJR 17, introduced by Jackson, G. Bennett, Vincent, referred to Natural Resources.

SJR 18, introduced by Thomas, referred to Judiciary.

SJR 19, introduced by Larsen, Augare, Blewett, Driscoll, Facey, Jergeson, Kaufmann, Malek, Phillips, Sesso, Tropila, Van Dyk, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Ballance in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 373 - Representative Reichner moved **HB 373** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Wilson.
Total 1

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 393 - Representative Hoven moved **HB 393** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Doane, Halvorson, Aye; McNally, No.

Excused: None.

Total 0

Absent or not voting: Hansen, Reichner.

Total 2

HB 405 - Representative Hagan moved **HB 405** do pass.

HB 405 - Representative Hagan moved **HB 405**, second reading copy, be amended as follows:

1. Title, line 6.

Following: "PERSONS"

Insert: "OR ENTITIES"

2. Title, line 10.

Following: "BEER"

Insert: ", "

Strike: "AND"

Following: "WINE"

Insert: ", OR LIQUOR"

3. Title, line 12.

Strike: "CIVIL FINES"

Insert: "CRIMINAL PENALTIES"

4. Page 1, line 22.

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Following: "persons"

Insert: "or entities"

5. Page 2, line 17.

Following: "beer"

Insert: ", "

Strike: "and"

Following: "wine"

Insert: ", or liquor"

Strike: "pursuant to 16-4-420"

6. Page 2, line 19.

Following: "person"

Insert: "or entity"

Following: "(a)"

Strike: "."

Insert: "is guilty of a misdemeanor and may be sentenced to a term of imprisonment not to exceed 6 months in the county jail or fined an amount not to exceed \$500, or both."

7. Page 2, line 20 through line 25.

Strike: "(i)" on line 20 through "." on line 25

8. Page 3, line 18.

Following: "."

Insert: "Any person or entity violating the provisions of this section is guilty of a misdemeanor and may be sentenced to a term of imprisonment not to exceed 6 months in the county jail or fined an amount not to exceed \$500, or both."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Court, Cuffe, Eck, Gursky, Hill, Miller, O'Neil.

Total 8

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Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 405 - Representative Hagan moved **HB 405**, as amended, do pass. Motion **failed** as follows:

Yeas: Ballance, Bangerter, Berry, Boland, Connell, Cook, Curtis, Gibson, Glimm, Greef, Hagan, Hollandsworth, Hunter, Jacobson, Lang, McNiven, Mehlhoff, Moore, Noonan, O'Hara, Pierson, Price, Reichner, Salomon, Shaw, C. Smith, Squires, Steenberg, Welborn, Wilmer, Mr. Speaker.

Total 31

Nays: Ankney, B. Bennett, J. Bennett, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Miller, Neill, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Randall, Redfield, Regier, Schreiner, Schwaderer, B. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilson, Woods, Zolnikov.

Total 69

Voted Absentee: Doane, Halvorson, McNally, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 415 - Representative Hagan moved **HB 415** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hollandsworth, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

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Nays: J. Bennett, Cuffe, Eck, Edmunds, Hagstrom, Harris, Hertz, Hill, Hollenbaugh, Hoven, Jones, Kerns, Wagoner, Williams.

Total 14

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 429 - Representative Wilmer moved **HB 429** do pass. Motion **failed** as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Flynn, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 488 - Representative Gursky moved **HB 488** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara,

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Total 96

Nays: Blyton, Brodehl, Kerns, Welborn.

Total 4

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 489 - Representative Hunter moved **HB 489** do pass.

HB 489 - Representative Hunter moved **HB 489**, second reading copy, be amended as follows:

1. Page 11, line 13.

Following: "Appropriation."

Insert: "(1)"

2. Page 11.

Following: line 15

Insert: "(2) If the health care database board receives private or federal grants as allowed under [section 4], the general fund appropriation is decreased in accordance with the provisions of 17-2-108."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

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Nays: Fiscus, Galt, Schwaderer, C. Smith, White, Zolnikov.

Total 6

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 489 - Representative Hunter moved **HB 489**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 46

Voted Absentee: McNally, Aye; Doane, Halvorson, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 524 - Representative Clark moved **HB 524** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,

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Total 96

Nays: Fitzpatrick, Hagan, Lenz, C. Smith.

Total 4

Voted Absentee: Doane, Halvorson, McNally, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Ballance moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Fitzpatrick, Gibson, Osmundson, Welborn.

Total 4

Voted Absentee: None.

Excused: Doane, Halvorson, McNally.

Total 3

Absent or not voting: None.

Total 0

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 313 passed as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 66

Nays: Ankney, Ballance, J. Bennett, Brodehl, Cuffe, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Reichner, Schwaderer, C. Smith, Vance, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 31

Voted Absentee: None

Excused: Doane, Halvorson, McNally.

Total 3

Absent or not voting: None.

Total 0

HB 465 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Curtis, Dudik, Ehli, Flynn, Gibson, Greef, Gursky, Hagan, Hansen, Hertz, Hollandsworth, Howard, Hunter, Ingraham, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Shaw, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Williams, Wilson, Woods.

Total 58

Nays: J. Bennett, Boss Ribs, Brodehl, Court, Cuffe, Eck, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Jacobson, Jones, Kary, Kerns, Laszloffy, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Reichner, Schreiner, Schwaderer, B. Smith, C. Smith, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 39

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Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 41 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 123 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 69

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Edmunds, Fitzpatrick, Glimm, Hansen,

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Harris, Jones, Kerns, Knudsen, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Reichner, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov, Mr. Speaker.
Total 28

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

SB 164 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None

Excused: Doane, Halvorson, McNally.
Total 3

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **HB 393** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 489** be moved from the Committee of the Whole to the Appropriations committee.

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SPECIAL ORDERS OF THE DAY

Representative Boland introduced the Expressions of Silence, they are a performing group made up of 5th through 12th grade students with hearing or vision loss from The Montana School for the Deaf and the Blind.

The Expressions of Silence have performed across Montana and this April will travel to Washington, D.C. and Gettysburg to perform for the American Musical Salute in honor of the 150th Anniversary of the American Civil War.

The students performed "Don't Laugh at Me" and "America's Song."

The students were presented with a certificate declaring them "Honorary Members of the House of Representatives."

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, March 8, 2013.
Motion carried.

House adjourned at 2:50 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTIETH LEGISLATIVE DAY**

Helena, Montana
March 8, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brockie. Tribal Prayer by Councilman Lozar. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson and Moore, excused. Quorum present.

MOTIONS

Majority Leader Vance moved the House recess for the purpose of receiving The State of the Tribal Nations Address. Upon Adjournment of the Joint Session, the House will reconvene. Motion carried.

House in Recess.

Sergeant-at-Arms Spencer notified Speaker Blasdel that the Honorable Senate of the State of Montana was awaiting entrance to the Chamber.

Speaker Blasdel requested Sergeant-at-Arms Spencer admit the Honorable Senate into the House Chambers.

Speaker Blasdel introduced Senate President Essmann and yielded the chair to him.

Senate Majority Leader Wittich moved that the body resolve itself into a joint session for the purpose of receiving The State of the Tribal Nations Address. Motion carried.

Senate Majority Leader Wittich moved that President Essmann be authorized to appoint a committee of four to notify Chairman Joe Durglo of the Confederated Salish and Kootenai Tribes that the body was in joint session and ready to receive his address. Motion carried.

President Essmann appointed Senator Jonathan Windy Boy, Senator Shannon Augare, Representative Nicholas Schwaderer and Representative Frosty Calf Boss Ribs to escort Chairman Joe Durglo into the House Chambers.

Sergeant-at-Arms Ritter announced that Chairman Joe Durglo was awaiting entrance to the House.

The Committee escorted Chairman Durglo into the chambers.

President Essmann introduced Chairman Durglo to the joint session.

Chairman Durglo made the following comments:

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Members of the Montana Indian Caucus, members of the 63rd session of the Montana Legislature, elders, tribal leaders, state officials, and my fellow citizens. As Chairman of the Confederated Salish and Kootenai Tribes, one of the eight Tribes that call Montana home, it's an honor to be here today to deliver the State of the Indian Nation address.

Eight diverse Indian Nations conduct business daily within the boundaries of the state of Montana. From the coal fields of the Crow, to the microchips manufactured at S&K Electronics on the Flathead Reservation, our people are pursuing their dream one step at a time. Our world today is much different than when our sustenance came from the open prairies, mountainsides and streams. We took game, high mountain berries, and native Bull trout. As a people, the Indians of this region have been conducting business for centuries on our homelands.

As the territory evolved, and Montana was established, and we became neighbors, we have come a long ways together. We've watched each other grow and develop. Like so many neighbors before us, we had a choice. Dig in and fight each other, or find a way to co-exist. Montanans were not our first neighbors. We first sorted out Nation to Nation issues with the Blackfeet, the Nez Perce and the Spokane. We found a way to make it work, to thrive in each other's company.

As Montana developed, we again found a way to work together. In 2012, there were 450 partnerships and collaborative projects between the state of Montana and Tribal nations. There is strength in joining forces. Tribes across the country have banded together both regionally and nationally. We are members of the National Congress of American Indians, and members of the Affiliated Tribes of the Northwest Indians, and we are members of the Montana Wyoming Tribal Leaders Council of Montana and Wyoming. We are also US citizens, defenders of our country in the armed services in the highest percentage of any group of Americans, and we are valuable members of Montana's community. We will continue to be viable partners with Montana, for the good of all of our communities. To ensure our ties remain strong, I want to suggest that the members of this legislature embrace tribal sovereignty, not be wary or suspicious of it. This sovereignty allows us to prosper in a manner that helps the State prosper. As the expression goes: as the financial waters rise for the Tribal nations, the waters rise for everyone.

Today, all eight nations are experiencing successes our ancestors would hardly believe. Yet there is much work remaining. We must focus on economic development, job creation, education, and health care. Continued cooperative agreements between the tribes and state will help improve the economic conditions of the reservations, which will in turn benefit Montana's economy and communities.

The University of Montana study, Uncovering Economic Contributions of Montana's Indian Tribes, revealed that reservations are economic engines that infuse \$1 billion annually into the state economy. As our reservation conditions improve, so does Montana.

The work to improve reservation conditions has been a focus of the Montana American Indian Caucus through efforts to improve academic achievement in our communities and support for

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our native language preservation. Senator Jonathan Windy Boy's Senate Bill 342 is a much needed step toward preserving our languages.

In the previous legislative session, great strides were made to ensure tribal governments were taxed equally with state governments. Those efforts continue this session, which need support. Senate Bill 231 would increase the tax threshold for tribal recreational property, a step of putting tribal government lands on the same status as state lands.

All of the Tribal Nations that call Montana home are very different. However, we have similar challenges remaining for our people in areas of unemployment and standards of living. Thank you for the continued training you provide state employees on best ways to work within Indian Country. The next update of a Government-to-Government Proclamation could expand into Tribal languages, histories, and culture that reinforces and enriches Montana further. This will help the work needed to protect our sacred sites and historical areas.

Throughout our Tribal nations, we welcome partners willing to listen to our vision for our people, and work to create a world rich with our traditional values. We need to continue supporting the tribal colleges, which turn out a skilled workforce. Meeting the challenges of our homelands requires some focused strategy, but we can get there together.

In our community, many people talk about the formula for success. The method is simple. It's collaborating and finding the best ways that work for our communities. That is easier said than done. We value the friendships that have developed through the years. These connections help us weather the conflicts that rise. Sometimes our values fight to co-exist and we must work through these tensions.

As a tribal people, we have not forgotten our past. We embrace our traditional ways, our languages, and our culture that has enabled our people to thrive on this land for thousands of years. But we also look toward the future.

The national economic horizon has been murky. We're all looking forward to brighter days. Much state effort has been put toward tourism, an effort the tribes joined. We're seeking the same goals, more jobs, more opportunities, a thriving economy where none are left wanting. It is a wise path to continue seeking these mutually beneficial partnerships.

For example, the oil exploration and production in Northeast Montana is impacting all the neighboring communities including the Fort Peck Reservation. Tribal infrastructure and services face overwhelming demands. This is an opportunity to partner with Montana in addressing shortages of law enforcement and emergency response personnel. With the oil boom comes a need to meet these demands together.

Further to the west, the Salish and Kootenai people are pursuing an enormous economic development plan, with state and federal partners. If successful, it will ensure the economic engine in Western Montana continues to run. I'm talking about the water rights compact. We are the final tribe seeking quantification of our water rights through the Montana state

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system. We are the only reservation in Montana with a Stevens Treaty, which includes off-reservation rights, a type of Treaty common in the Columbia River basin. Our negotiations with the Reserved Water Right Compact Commission resulted in a completed compact. We endeavored to bring a bright spot to the Mission Valley and Western Montana in the form of a completed compact that could pass through this session of the state legislature, and bring certainty after decades of fighting.

However, there are forces that wish to tie up the Western Montana economy with unnecessary court battles that will drag down all of our businesses. We agreed to this state process of seeking a compact. We've been at public meetings for decades in an effort that has been intense for the past four years. Our efforts have been met with suspicion by those that refuse to trust the Tribes, even though this is a state process. We are in danger of allowing our differences to define us when we should be using our differences to make us stronger.

We look forward to a day when we can conduct business in a mutually respectful environment. Be the topic water, buffalo or extended medical care, there must be respect. We are Native, and we are proud, and we are strong, and we offer our partnership to you for the greater good of the community. Support the agreed upon water compact. That compact contains the very progressive concept of unitary management of water that will make water rights transparent and will benefit both the environment and agriculture community.

We are sovereign nations, empowered to determine how best to govern ourselves. Our history goes back more than 14,000 years on our homeland. We've endured many changes. As a people, we expect to continue our long running success.

We'll continue as your colleague, your neighbor, business partner, educator and your friend. We'll continue to run our colleges, our law enforcement teams, courts, and businesses. We'll tend to the social service programs, wildlife, and forestry management. We'll still watch the lakes and streams for signs of trouble and plan for road expansions and infrastructure developments. There are projects to administer, meetings to take, and letters to send. We all know about getting business done. We look forward to another bright morning where you trust we will be there at the table when you need us, and, in return, the Tribal nations can count on your growing understanding of working with us as your partners.

Lemlmts, Pesya

President Essmann directed the committee of four to escort Chairman Durglo from the joint session.

Senate Majority Leader Wittich moved that the joint session of the 63rd Legislature be adjourned. Motion carried.

The House reconvened.

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BILLS (O'Hara, Chair):

3/8/2013

Correctly printed: HB 408, HB 478, HB 583, SB 3, SB 12, SB 21, SB 23, SB 35, SB 49,
SB 71, SB 86, SB 142, SB 145, SB 211, SB 213, SB 306, SJR 8.
Correctly engrossed: HB 471, HB 498, HB 523, SB 40, SB 101, SB 120.
Correctly enrolled: HB 261.
Transmitted to the Senate: HB 313, HB 465, SB 41, SB 123, SB 164.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the thirty-first, thirty-second, thirty-third, thirty-fourth, and thirty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

3/7/2013

HB 471, introduced bill, be amended as follows:

1. Page 1, line 30.

Strike: ":"

2. Page 2, line 1.

Strike: "(i)"

3. Page 2, line 2.

Strike: "; and"

Insert: "."

4. Page 2, line 3 through line 5.

Strike: subsection (ii) in its entirety

And, as amended, do pass. Report adopted.

SB 86, be concurred in. Report adopted.

SB 211, be concurred in. Report adopted.

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BUSINESS AND LABOR (Berry, Chair):
SB 120, be amended as follows:

3/8/2013

1. Page 6, line 16.

Following: "(8)

Insert: "(a)"

2. Page 6.

Following: line 19

Insert: "(b) If two or more individuals through business or family relationship share in the
profits

or liabilities of all-beverages licenses, the aggregate number of licenses in which they share
profits or liabilities may not exceed half the total number of allowable all-beverages licenses in
the specific quota area in which the all-beverages licenses will be held."

And, as amended, be concurred in. Report adopted.

SB 235, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):
SB 101, be amended as follows:

3/8/2013

1. Page 3, line 26.

Following: "due to"

Insert: "a permanent medical condition or"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/8/2013

HB 403, do pass. Report adopted.

HB 478, do pass. Report adopted.

SB 145, be concurred in. Report adopted.

SB 213, be concurred in. Report adopted.

SB 306, be concurred in. Report adopted.

SJR 3, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

3/7/2013

SB 23, be concurred in. Report adopted.

SB 40, be amended as follows:

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1. Page 4, lines 19 and 20.

Following: "submitted" on line 19

Strike: "as provided in 76-3-604"

And, as amended, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

3/8/2013

HB 498, introduced bill, be amended as follows:

1. Page 1, line 19.

Strike: "birthday"

Insert: "date of birth"

2. Page 1, line 20.

Following: "on the"

Insert: "anniversary of the"

3. Page 1, line 21.

Strike: "21st birthday"

Insert: "date of birth"

And, as amended, do pass. Report adopted.

SB 3, be concurred in. Report adopted.

SB 12, be concurred in. Report adopted.

SB 21, be concurred in. Report adopted.

SB 35, be concurred in. Report adopted.

SB 49, be concurred in. Report adopted.

SB 71, be concurred in. Report adopted.

SB 142, be concurred in. Report adopted.

SJR 8, be concurred in. Report adopted.

TAXATION (Miller, Chair):

3/8/2013

HB 408, do pass. Report adopted.

HB 523, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

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2. Page 1, line 19.

Following: line 18

Insert: "NEW SECTION. Section 3. Applicability. [This act] applies to tax periods beginning after December 31, 2014."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/7/2013

HB 28, introduced by Bangerter

HB 123, introduced by Regier

HB 190, introduced by Knudsen

HB 212, introduced by Knudsen

Senate bills passed and transmitted to the House for concurrence: 3/7/2013

SB 200, introduced by Vincent

SB 301, introduced by Murphy

SB 357, introduced by Facey

Senate joint resolution passed and transmitted to the House for concurrence: 3/7/2013

SJR 15, introduced by Fielder

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 583, introduced by Cook, Blasdel, referred to Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

SB 19, introduced by Hamlett (by request of the Water Policy Committee), referred to Natural Resources.

SB 108, introduced by T. Brown, referred to Taxation.

THIRD READING OF BILLS

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The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 373 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Halvorson, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 415 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 89

Nays: J. Bennett, Court, Eck, Edmunds, Harris, Hertz, Kerns, Wagoner.

Total 8

Voted Absentee: None.

Excused: Doane, Halvorson, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 488 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Blyton, Brodehl, Kerns, O'Neil, Welborn.

Total 5

Voted Absentee: None.

Excused: Doane, Halvorson, Moore.

Total 3

Absent or not voting: None.

Total 0

HB 524 passed as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Lenz, C. Smith.

Total 2

Voted Absentee: None.

Excused: Doane, Halvorson, Moore.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Edmunds moved to change his vote on HB 488 from Not Voting to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, March 9, 2013. Motion carried.

House adjourned at 1:50 p.m.

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LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 9, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative C. Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson, Howard, Kerns, Knudsen, and Warburton, excused. Quorum present.

BILLS (O'Hara, Chair): 3/9/2013

Correctly printed: **HB 403, HB 440, HB 566, HB 584, HB 585, SB 44, SB 61, SB 62, SB 92, SB 235, SJR 3, SJR 4, SJR 6.**

Correctly engrossed: **HB 559, HB 573, SB 104.**

Correctly enrolled: **HB 199, HB 243.**

Transmitted to the Senate: **HB 373, HB 415, HB 488, HB 524.**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/8/2013
SB 92, be concurred in. Report adopted.
SJR 6, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair): 3/8/2013
SB 44, be concurred in. Report adopted.
SJR 4, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair): 3/8/2013
HB 559, introduced bill, be amended as follows:

1. Title, line 9.

Following: "PLATES"

Insert: "AND GENERIC SPECIALTY LICENSE PLATES"

Strike: "THE"

Strike: "RESTRICTION"

Insert: "RESTRICTIONS ON CERTAIN VEHICLES"

2. Page 2, line 17.

Strike: "and"

3. Page 2, line 18.

Following: "61-3-406"

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Insert: "; and

(iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate license plate under 61-3-465"

4. Page 9, line 6.

Following: "61-3-458(2)(c);"

Insert: "and"

5. Page 9, line 7 through line 9.

Strike: "; and" on line 7 through "61-3-479" on line 9

6. Page 9, line 16.

Following: "61-3-480"

Insert: "or collegiate license plates under 61-3-465"

And, as amended, do pass. Report adopted.

HB 566, do pass. Report adopted.

HB 573, introduced bill, be amended as follows:

1. Page 35, line 1.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

2. Page 35, line 2.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

3. Page 35, line 3.

Following: "quadricycle"

Strike: "or"

Insert: ", "

Following: "utility vehicle"

Insert: ", or motorcycle designed for off-road recreational use"

And, as amended, do pass. Report adopted.

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MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/8/2013

HB 261, introduced by Berry

Senate bills concurred in and returned to the House: 3/8/2013

SB 58, introduced by Kaufmann

SB 191, introduced by T. Brown

SB 231, introduced by Augare

SB 294, introduced by Arntzen

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 584, introduced by O'Neil, referred to Transportation.

HB 585, introduced by Hoven, referred to Transportation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 20, introduced by Jent (by request of the State Auditor), referred to Business and Labor.

SB 58, introduced by Kaufmann (by request of the Children, Families, Health, and Human Services Interim Committee), referred to Appropriations.

SB 153, introduced by Thomas, Berry, Larsen, Olson, referred to Judiciary.

SB 158, introduced by Thomas, Berry, Van Dyk, referred to Business and Labor.

SB 160, introduced by Tropila, Arntzen, T. Brown, Hollenbaugh, MacDonald, Noonan, O'Hara, Thomas, Van Dyk, Wanzenried, referred to Judiciary.

SB 179, introduced by Kaufmann (by request of the Department of Revenue), referred to Taxation.

SB 191, introduced by T. Brown, Facey, L. Jones, Olson, Salomon, referred to Education.

SB 192, introduced by Wanzenried, referred to State Administration.

SB 196, introduced by Rosendale, Augare, Dick Barrett, Blewett, Boulanger, Brenden, D. Brown, Facey, L. Jones, F. Moore, Osmundson, Reichner, Sales, Taylor, Thomas, Van Dyk, Walker, Wanzenried, Warburton, Windy Boy, Wittich, referred to Judiciary.

SB 199, introduced by Thomas, Ballance, Facey, Peterson, referred to Education.

SB 200, introduced by Vincent, referred to Fish, Wildlife and Parks.

SB 231, introduced by Augare, Brockie, Calf Boss Ribs, Pease-Lopez, Peppers, B. Smith, Stewart-Peregoy, Whitford, Windy Boy, referred to Taxation.

SB 236, introduced by Olson, Ankney, referred to Appropriations.

SB 269, introduced by Walker, referred to Taxation.

SB 290, introduced by Arntzen, Hagstrom, referred to Local Government.

SB 294, introduced by Arntzen, Berry, Hunter, referred to Business and Labor.

SB 301, introduced by Murphy, T. Brown, Kary, Peterson, Shaw, Welborn, referred to Agriculture.

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SB 335, introduced by Hamlett, Connell, McChesney, referred to Natural Resources.

SB 357, introduced by Facey, referred to Business and Labor.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 15, introduced by Fielder, Arntzen, Arthun, Augare, Ballance, Debby Barrett, Blyton, Boulanger, Brockie, Brodehl, D. Brown, Buttrely, Clark, Connell, Cuffe, Facey, Flynn, Glimm, Hamlett, Hertz, Hollandsworth, Howard, Ingraham, Jackson, D. Jones, L. Jones, Kary, Keane, Knudsen, McChesney, McClafferty, Mehlhoff, F. Moore, Murphy, Olson, Peppers, Peterson, Pierson, Price, Redfield, Ripley, Rosendale, Salomon, Schwaderer, Sesso, Shaw, B. Smith, C. Smith, Sonju, Stewart-Peregoy, Taylor, Thomas, Tutvedt, Vincent, Washburn, Webb, White, Whitford, Windy Boy, Wittich, Zolnikov, Hollandsworth, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Pomnichowski in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 3 - Representative Vance moved consideration of **SJR 3** be passed for the day. Motion Carried.

HB 403 - Representative Hill moved **HB 403** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Knudsen, Warburton, Aye.

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Excused: Howard, Kerns.

Total 2

Absent or not voting: Cook, Lynch.

Total 2

HB 440 - Representative Kary moved **HB 440** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 61 - Representative Berry moved **SB 61** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

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Nays: J. Bennett, Brodehl, Kerns, Lenz, Schwaderer, Zolnikov.

Total 6

Voted Absentee: Doane, Halvorson, Howard, Knudsen, Warburton, Aye; Kerns, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 62 - Representative Neill moved **SB 62** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 104 - Representative D. Moore moved **SB 104** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: J. Bennett, Wagoner.

Total 2

Voted Absentee: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 235 - Representative Welborn moved **SB 235** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Knudsen, Warburton, Aye.

Excused: Howard, Kerns.

Total 2

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Pomnichowski moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: McClafferty, Pierson, White.
Total 3

Voted Absentee: None.

Excused: Doane, Halvorson, Howard, Kerns, Knudsen, Warburton.
Total 6

Absent or not voting: Cook.
Total 1

MOTIONS

Majority Leader Vance moved **HB 440** be moved from the Committee of the Whole to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Hagan thanked the Pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 11, 2013.
Motion carried.

House adjourned at 8:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 11, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Lenz. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Doane excused. Quorum present.

BILLS (O'Hara, Chair):

3/11/2013

Correctly printed: **HB 478, HB 498, HB 586, HB 587, SB 40, SB 86, SB 101, SB 120, SB 211.**

Correctly engrossed: **SB 55, SB 213.**

Correctly enrolled: **HB 142, HB 179, HB 264.**

Examined by the sponsor and found to be correct: **HB 28, HB 123, HB 190, HB 199, HB 212, HB 243.**

Transmitted to the Senate: **HB 261.**

Signed by the Speaker at 3:10 p.m., March 11, 2013: **HB 28, HB 123, HB 190, HB 199, HB 212, HB 243, HB 261.**

Signed by the Chief Clerk of the House at 3:35 p.m., March 11, 2013: **HB 28, HB 123, HB 190, HB 199, HB 212, HB 243, HB 261.**

Signed by the President at 7:25 a.m., March 12, 2013: **HB 28, HB 123, HB 190, HB 199, HB 212, HB 243, HB 261.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

3/11/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, March 9, 2013:

MaKylyn Landon, Great Falls
Aidan Wade, Helena
Rachel Skaar, Helena
Brant Marsh, Sheridan
Amanda Halko, Sand Coulee
Logan Schuelke, Butte
Kendall Alley, Butte

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 11, 2013:

Steven Nistler, Helena
Skylar Smith, Kalispell
Troy Manoukian, Malta
MaKaylin Randall, Troy
Brandon Hendrickson, Kalispell

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Atticus Proctor, Helena
Erika Ackerlund, Helena
Report Adopted.

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Howard, Chair): 3/8/2013
SB 55, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 3/9/2013

HB 199, introduced by Noonan
HB 243, introduced by Wilson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 586, introduced by Cuffe, referred to Appropriations.
HB 587, introduced by Coffin, B. Bennett, Curtis, Lieser, McClafferty, Pomnichowski, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Greef in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 478 - Representative Laszloffy moved **HB 478** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, O'Hara, Osmundson, Peppers, Pierson, Randall, Regier, Reichner, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Wilmer, Zolnikov, Mr. Speaker.
Total 68

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Nays: Boss Ribs, Brockie, Coffin, Connell, Court, Hagstrom, Hunter, Ingraham, Kerns, Lieser, MacDonald, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Pomnichowski, Price, Redfield, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Swanson, Welborn, White, Whitford, Williams, Wilson, Woods.

Total 32

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 498 - Representative Hill moved **HB 498** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Galt.

Total 1

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 40 - Representative Zolnikov moved **SB 40** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Pomnichowski.

Total 1

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 86 - Representative Salomon moved **SB 86** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 101 - Representative Jacobson moved **SB 101** be concurred in.

SB 101 - Representative Jacobson moved **SB 101**, second reading copy, be amended as follows:

1. Page 3, line 13.

Strike: "A LICENSED CHIROPRACTOR,"

2. Page 3, line 19 through line 20.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

Amendment **not** adopted as follows:

Yeas: Blyton, Boland, Brodehl, Coffin, Connell, Court, Ehli, Galt, Greef, Gursky, Hagstrom, Hill, Hollandsworth, Hoven, Howard, Jacobson, Knudsen, Lavin, Lenz, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Neill, Noonan, Peppers, Pomnichowski, Price, Regier, Reichner, Schreiner, Shaw, B. Smith, Washburn, Welborn, White, Wilmer, Wilson, Woods, Mr. Speaker.

Total 41

Nays: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boss Ribs, Brockie, Clark, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Hagan, Halvorson, Hansen, Harris, Hertz, Hollenbaugh, Hunter, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lieser, Lynch, MacDonald, McNally, Miller, Moore, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Randall, Redfield, Salomon, Schwaderer, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Whitford, Williams, Zolnikov.

Total 59

Voted Absentee: Doane, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 101 - Representative Jacobson moved **SB 101**, second reading copy, be amended as follows:

1. Page 3, line 26 through line 27.

Strike: "A" on line 26 through "OR" on line 27

Amendment **not** adopted as follows:

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Yeas: Ankney, Ballance, Boland, Boss Ribs, Connell, Doane, Dudik, Eck, Ehli, Flynn, Greef, Hagan, Halvorson, Hansen, Hill, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Lenz, MacDonald, McChesney, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Vance, Washburn, Welborn, White, Whitford, Williams, Woods.

Total 45

Nays: Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Gursky, Hagstrom, Harris, Hertz, Hollandsworth, Ingraham, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, McCarthy, McClafferty, Miller, Neill, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Squires, Swanson, Wagoner, Warburton, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 55

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 101 - Representative Jacobson moved **SB 101** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Glimm, Halvorson, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, White, Zolnikov.

Total 28

Voted Absentee: Doane, No.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 306 - Majority Leader Vance moved consideration of **SB 306** be passed for the day. Motion Carried.

SB 120 - Representative Fitzpatrick moved **SB 120** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lynch, McCarthy, McChesney, McClafferty, Noonan, Osmundson, Pease-Lopez, Peppers, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 71

Nays: Bangerter, Boland, Coffin, Court, Dudik, Gursky, Harris, Hunter, Jacobson, Lenz, Lieser, MacDonald, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Pierson, Pomnichowski, Price, Reichner, C. Smith, Squires, Steenberg, Wilson, Woods.

Total 29

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 211 - Representative Clark moved **SB 211** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: Cook.

Total 1

SB 213 - Representative Lynch moved **SB 213** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Greef moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 403 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane.

Total 1

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Absent or not voting: None.
Total 0

SB 61 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 92

Nays: J. Bennett, Brodehl, Kerns, Lenz, C. Smith, Williams, Zolnikov.
Total 7

Voted Absentee: None.

Excused: Doane.
Total 1

Absent or not voting: None.
Total 0

SB 62 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

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Voted Absentee: None.

Excused: Doane.

Total 1

Absent or not voting: None.

Total 0

SB 104 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane.

Total 1

Absent or not voting: None.

Total 0

SB 235 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White,

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Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns.

Total 1

Voted Absentee: None.

Excused: Doane.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 478** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, March 12, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
FIFTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 12, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Cuffe. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane and Hertz, excused. Quorum present.

BILLS (O'Hara, Chair): 3/12/2013

Correctly printed: **HB 97, HB 408, HB 523, HB 542, HB 588, SB 12, SB 23, SB 92, SB 114, SB 225, SJR 3, SJR 6.**

Correctly engrossed: **HB 338, HB 377, HB 454, SB 145.**

Correctly enrolled: **HB 45, HB 131.**

Examined by the sponsor and found to be correct: **HB 142, HB 179, HB 264.**

Transmitted to the Senate: **HB 403, SB 61, SB 62, SB 104, SB 235.**

Signed by the Speaker at 2:35 p.m., March 12, 2013: **HB 142, HB 179, HB 264.**

Signed by the Chief Clerk of the House at 2:45 p.m., March 12, 2013: **HB 142, HB 179, HB 264.**

Signed by the President at 3:52 p.m., March 12, 2013: **HB 142, HB 179, HB 264.**

Delivered to the Governor for approval at 9:46 a.m., March 12, 2013: **HB 28, HB 123, HB 190, HB 199, HB 212, HB 243, HB 261.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, and fortieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

TRANSPORTATION (Lavin, Chair): 3/11/2013

SB 114, be concurred in. Report adopted.

SB 225, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

JOINT SELECT COMMITTEE ON PENSIONS (Lewis, Chair): 3/12/2013

HB 97, do pass. Report adopted.

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HB 338, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Following: "ADJUSTMENTS"

Insert: "EXCEPT IN THE JUDGES' RETIREMENT SYSTEM"

2. Title, page 1, line 26.

Strike: "19-5-901,"

3. Title, page 1, line 27.

Strike: "19-5-902,"

4. Page 6, line 1.

Following: "(8)"

Insert: "(a)"

5. Page 6.

Following: line 3

Insert: "(b) shall monitor the potential fiscal impacts of reinstating the guaranteed annual benefit adjustments pursuant to [section 11] and 19-20-719(2) and recommend any legislation the committee determines necessary to ensure the retirement systems remain actuarially sound; and"

6. Page 19, line 29.

Strike: "19-5-901,"

7. Page 20, line 1.

Following: "suspended"

Insert: "until all of the retirement systems under chapters 3, 5 through 9, 13, and 20 of this title are 100% funded as of each system's latest annual actuarial valuation"

8. Page 53, line 27 through page 55, line 16.

Strike: section 50 through section 51 in their entirety

Renumber: subsequent sections

9. Page 82, line 1.

Following: "suspended"

Insert: "until the retirement system and all of the retirement systems under chapters 3, 5 through 9, and 13 of this title are 100% funded as of each system's latest annual actuarial valuation"

10. Page 87, line 27.

Strike: "85"

Insert: "84"

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11. Page 88, line 3.

Following: "**Severability**"

Insert: "-- nonseverability"

12. Page 88, line 3.

Strike: "If"

Insert: "(1) Except as provided in subsection (2), if"

13. Page 88.

Following: line 5

Insert: "(2) If [section 11] or 19-20-719(2), or both, are invalid in one or more of their applications, [section 10] is void."

14. Page 88, line 9 through line 10.

Strike: "52" on line 9 through "84" on line 10

Insert: "50, 54, 57 through 59, 63, 67 through 69, 72 through 77, and 79 through 82"

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Title, page 1, line 10.

Following: "MEMBERS"

Insert: "AND EMPLOYERS"

2. Title, page 1.

Following: line 15

Insert: "REVISING THE GUARANTEED ANNUAL BENEFIT ADJUSTMENT FOR NEW AND CURRENT MEMBERS;"

3. Title, page 1, line 21.

Following: "19-20-602,"

Insert: "19-20-605, 19-20-621,"

Following: "19-20-716,"

Insert: "19-20-719,"

4. Page 6, line 22.

Strike: "contribution"

Insert: "contributions"

5. Page 6, line 23.

Strike: "contribution"

Insert: "contributions"

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6. Page 6, line 24.

Strike: "contribution"

Insert: "contributions"

7. Page 6, line 25.

Following: "19-20-605"

Insert: "and [section 8]"

8. Page 8, line 20.

Strike: "and"

9. Page 8, line 21.

Following: "[section 6]."

Insert: "and [section 8]."

10. Page 11.

Following: line 26

Insert: "Section 7. Section 19-20-605, MCA, is amended to read:

"19-20-605. Pension accumulation account -- employer's contribution. (1) The pension accumulation account is the account in which the reserves for payment of retirement allowances and benefits must be accumulated and from which retirement allowances and benefits must be paid to retirees or their beneficiaries. ~~Contributions to and payments from~~ Employer contributions to the pension accumulation account must be made as provided in [section 8] and this section.

(2) Except as provided in subsection (3), for each member employed during the whole or part of the preceding payroll period, the employer shall pay into the pension accumulation account an amount equal to 9.85% of total earned compensation, plus the supplemental contribution required under [section 8].

(3) For each member employed by a school district, an education cooperative, a county, or a community college during the whole or part of the preceding payroll period, the employer shall pay into the pension accumulation account an amount equal to 7.47% of total earned compensation, plus the supplemental contribution required under [section 8].

(4) Beginning July 1, 2013, for each retired member who returns to covered employment under the provisions of 19-20-731 during all or part of the preceding payroll period, the employer shall pay into the pension accumulation account an amount equal to 9.85% of the total earned compensation paid to the retired member, plus the supplemental contribution required under [section 8].

(5) If the employer is a district or community college district, the trustees shall budget and pay for the employer's contribution under the provisions of 20-9-501.

(6) If the employer is the superintendent of public instruction, a public institution of the state of Montana, a unit of the Montana university system, or the Montana state school for the deaf and blind, the legislature shall appropriate to the employer an adequate amount to allow the payment of the employer's contribution.

(7) If the employer is a county, the county commissioners shall budget and pay for the employer's contribution in the manner provided by law for the adoption of a county budget and for payments under the budget.

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(8) All interest and other earnings realized on the money of the retirement system must be credited to the pension accumulation account, and the amount required to allow regular interest on the annuity savings account must be transferred to that account from the pension accumulation account.

(9) The board may transfer from the pension accumulation account to the expense account an amount necessary to cover expenses of administration."

Insert: "NEW SECTION. **Section 8. Employer's supplemental contribution -- actuarially determined adjustments.** (1) (a) Subject to subsections (1)(b) and (1)(c), each employer shall contribute to the retirement system a supplemental amount equal to 1% of total earned compensation of each member employed during the whole or part of the preceding payroll period.

(b) The board may decrease the employer's supplemental contribution if:

(i) the average funded ratio of the system based on the last three actuarial valuations is equal to or greater than 90%; and

(ii) the period necessary to amortize all liabilities of the system based on the most recent annual actuarial valuation is less than 15 years.

(c) Following one or more decreases in the supplemental contribution rate pursuant to subsection (1)(b), the board may increase the supplemental contribution to a rate not to exceed 1% if:

(i) the average funded ratio of the system based on the last three annual actuarial valuations is equal to or less than 80%; and

(ii) the period necessary to amortize all liabilities of the system based on the most recent annual actuarial valuation is greater than 20 years.

(2) After the board has actuarially determined the need to impose, increase, or decrease a supplemental contribution rate under this section, the imposition, increase, or decrease is effective on the first day of July following the board's determination."

Insert: "Section 9. Section 19-20-621, MCA, is amended to read:

"19-20-621. Montana university system optional retirement program supplemental contributions. (1) Each employer within the university system with employees participating in the optional retirement program under Title 19, chapter 21, shall contribute to the teachers' retirement system a supplemental employer contribution sufficient to amortize, by July 1, 2033, the past service liability of the teachers' retirement system for the university system members.

(2) The optional retirement program supplemental employer contribution as a percentage of the total compensation of all employees participating in the program is:

~~(a) 4.04% beginning July 1, 2001, through June 30, 2007; and~~

~~— (b) 4.72% beginning July 1, 2007~~

(a) 5.72% beginning July 1, 2013, through June 30, 2014;

(b) 6.72% beginning July 1, 2014, through June 30, 2015;

(c) 7.62% beginning July 1, 2015, through June 30, 2016;

(d) 8.72% beginning July 1, 2016, through June 30, 2017; and

(e) 9.04% beginning July 1, 2017.

(3) The board shall periodically review the supplemental employer contribution rate and recommend adjustments to the legislature as needed to maintain the amortization of the university system's past service liability by July 1, 2033."

Renumber: subsequent sections

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11. Page 12, line 11.

Strike: "and"

Following: "[section 6]"

Insert: ", and [section 8]"

12. Page 13.

Following: line 12

Insert: "Section 11. Section 19-20-719, MCA, is amended to read:

"19-20-719. Guaranteed annual benefit adjustment -- rulemaking. (1) On January 1 of each year, the retirement allowance payable to each ~~recipient~~ tier one member or benefit recipient of a tier one member who is eligible under subsection (2) (3) must be increased by ~~4.5%~~ the amount provided in either subsection (1)(a) or subsection (1)(b) as follows:

(a) if the most recent actuarial valuation of the retirement system shows that retirement system liabilities are less than 90% funded, 0.5%; or

(b) if the most recent actuarial valuation of the retirement system shows that retirement system liabilities are at least 90% funded and the provision of the increase is not projected to cause the system's liabilities to be less than 85% funded, an amount greater than 0.5% but no more than 1.5%, as set by the retirement board.

(2) On January 1 of each year, the retirement allowance payable to each tier two member or benefit recipient of a tier two member who is eligible under subsection (3) must be increased as follows:

(a) by 1.5% if the system's unfunded liabilities amortize in 25 years or less as of the system's latest actuarial valuation and the increase is not projected to cause the amortization period to be greater than 25 years; or

(b) by 1.5% minus 0.1% for each year the amortization period of the system's unfunded liabilities is greater than 25 years as of the system's latest annual actuarial valuation. If the amortization period is 40 years or greater, the retirement allowance may not be increased.

(2)(3) A benefit recipient is eligible for and must receive the annual benefit adjustment provided for in this section if ~~the retiree has received~~ at least 36 monthly retirement benefit payments have been made prior to January 1 of the year in which the adjustment is to be made."

Renumber: subsequent sections

13. Page 14, line 8.

Strike: "and"

Following: "[section 6]"

Insert: ", and [section 8]"

14. Page 24, line 19.

Strike: "[Section 6] is"

Insert: "[Sections 6 and 8] are"

15. Page 24, line 20.

Strike: "[section 6]"

Insert: "[sections 6 and 8]"

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And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, page 1, line 15.

Following: "SYSTEM;"

Insert: "REVISING THE GUARANTEED ANNUAL BENEFIT ADJUSTMENT FOR NEW AND CURRENT MEMBERS;"

2. Title, page 1, line 17.

Following: "19-3-316,"

Insert: "19-3-1605,"

3. Page 11.

Following: line 16

Insert: "**Section 5.** Section 19-3-1605, MCA, is amended to read:

"19-3-1605. Guaranteed annual benefit adjustment. (1) Subject to subsection (2), on January 1 of each year, the permanent monthly benefit payable during the preceding January to each recipient who is eligible under subsection (3) must be increased by the applicable percentage provided in subsection (4).

(2) (a) If a recipient's benefit payable during the preceding January has been increased by one or more adjustments not provided for in this section and the adjustments amount to less than an annualized increase of the applicable percentage provided in subsection (4), then the recipient's benefit must be adjusted by an amount that will provide a total annualized increase of the applicable percentage in the benefit paid since the preceding January.

(b) If a recipient's benefit payable during the preceding January has been increased by one or more adjustments not provided for in this section and the increases amount to more than an annualized increase of the applicable percentage provided in subsection (4), then the benefit increase provided under this section must be 0%.

(c) If a benefit recipient is a contingent annuitant receiving an optional benefit upon the death of the original payee that occurred since the preceding January, the new recipient's monthly benefit must be increased to the applicable percentage provided in subsection (5) more than the amount that the contingent annuitant would have received had the contingent annuitant received a benefit during the preceding January.

(3) Except as provided in subsection (2)(b), a benefit recipient is eligible for and must receive the minimum annual benefit adjustment provided for in this section if the benefit's commencement date is at least 12 months prior to January 1 of the year in which the adjustment is to be made.

~~(4) (a) The applicable percentage is 3% for benefit recipients hired or assuming office:~~

~~—— (i) before July 1, 2007; or~~

~~—— (ii) on or after July 1, 2007, if the benefit recipient is an existing member of a benefit plan for which the applicable percentage is 3%.~~

~~—— (b) Except as provided in subsection (4)(a)(ii), the applicable percentage is 1.5% for benefit recipients hired or assuming office on or after July 1, 2007.~~

~~—— (5) (a) The applicable percentage rate for a contingent annuitant described in subsection~~

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~~(2)(c) is 3% if the original payee:~~

~~—— (i) was hired or assumed office before July 1, 2007; or~~
~~—— (ii) was an existing member of a benefit plan for which the applicable percentage is 3%.~~
~~—— (b) Except as provided in subsection (5)(a)(ii), the applicable percentage rate for a contingent annuitant described in subsection (2)(c) is 1.5% if the original payee was hired or assumed office on or after July 1, 2007:~~

~~(4) (a) If the most recent actuarial valuation of the retirement system shows that retirement system liabilities are less than 90% funded, the applicable percentage must be as follows:~~

~~(i) 1% for a member or a benefit recipient or contingent annuitant of a member hired or assuming office before July 1, 2007; or~~

~~(ii) 0.5% for a member or a benefit recipient or contingent annuitant of a member hired or assuming office on or after July 1, 2007, but before July 1, 2013.~~

~~(b) If the most recent actuarial valuation of the retirement system shows that retirement system liabilities are at least 90% funded and the provision of the applicable percentage will not cause the system's liabilities to be less than 85% funded, the applicable percentage must be as follows:~~

~~(i) for a member or a benefit recipient or contingent annuitant of a member hired or assuming office before July 1, 2007, an amount set by the board that is greater than 1% but no more than 3%; or~~

~~(ii) for a member or a benefit recipient or contingent annuitant of a member hired or assuming office on or after July 1, 2007, but before July 1, 2013, an amount set by the board that is greater than 0.5% but no more than 1.5%.~~

~~(5) The applicable percentage for a member or a benefit recipient or contingent annuitant of a member hired or assuming office on or after July 1, 2013, is as follows:~~

~~(a) 1.5% if the system's unfunded liabilities amortize in 25 years or less as of the system's latest actuarial valuation and the increase is not projected to cause the amortization period to be greater than 25 years; or~~

~~(b) 1.5% minus 0.1% for each year the amortization period of the system's unfunded liabilities is greater than 25 years as of the system's latest annual actuarial valuation. If the amortization period is 40 years or greater, the retirement allowance may not be increased.~~

~~(6) The board shall adopt rules to administer the provisions of this section."~~

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/11/2013

HB 142, introduced by Connell

HB 179, introduced by Randall

HB 264, introduced by Ingraham

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FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 588, introduced by Harris, referred to Fish, Wildlife and Parks.

The following Senate bills were introduced, read first time, and referred to committees:

SB 31, introduced by Debby Barrett, referred to Federal Relations, Energy, and Telecommunications.

SB 88, introduced by Dick Barrett (by request of the Reserved Water Rights Compact Commission), referred to Natural Resources.

SB 150, introduced by Driscoll, Larsen, McCarthy, Miller, Regier, Schwaderer, Van Dyk, Wilmer, Zolnikov, referred to Judiciary.

SB 180, introduced by Debby Barrett, Flynn, Shaw, Welborn, Wittich, referred to Federal Relations, Energy, and Telecommunications.

SB 238, introduced by Hamlett, Jacobson, referred to Judiciary.

SB 271, introduced by Thomas, referred to Local Government.

SB 278, introduced by Peterson, Debby Barrett, Dick Barrett, Connell, Lang, Salomon, Williams, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hagan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 408 - Representative Miller moved **HB 408** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill,

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Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 36

Voted Absentee: Doane, Hertz, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 523 - Representative Schwaderer moved **HB 523** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: Doane, Hertz, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 542 - Representative Curtis moved **HB 542** do pass. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods.

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Total 56

Nays: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Connell, Cook, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 43

Voted Absentee: Hertz, Aye; Doane, No.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 12 - Representative Ingraham moved **SB 12** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: Doane, Hertz, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 23 - Representative Fitzpatrick moved **SB 23** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Doane, Hertz, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 92 - Representative Berry moved **SB 92** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Hertz, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 145 - Representative Wagoner moved **SB 145** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Boland, Brockie, MacDonald, Neill, Pease-Lopez, Peppers, Pomnichowski, Squires, Swanson, Williams, Wilson.

Total 11

Voted Absentee: Doane, Hertz, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 3 - Representative Kerns moved **SJR 3** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

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Nays: None.

Total 0

Voted Absentee: Doane, Hertz, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 6 - Representative Knudsen moved **SJR 6** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Hertz, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hagan moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson,

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Total 91

Nays: B. Bennett, Boland, Hagan, McClafferty, B. Smith, Woods.

Total 6

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: McNiven.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 498 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

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Total 1

SB 40 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Pomnichowski, Squires, Wilson.

Total 3

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

SB 86 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

SB 101 concurred in as follows:

Yeas: Ankney, B. Bennett, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 64

Nays: Ballance, Bangerter, J. Bennett, Berry, Brockie, Brodehl, Cuffe, Edmunds, Ehli, Glimm, Halvorson, Hansen, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov, Mr. Speaker.

Total 33

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

SB 120 concurred in as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lynch, McCarthy, McChesney, McClafferty, Miller, Noonan, Osmundson, Pease-Lopez, Peppers, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 68

Nays: Bangerter, B. Bennett, Boland, Coffin, Court, Dudik, Gursky, Harris, Hunter, Jacobson, Lenz, Lieser, MacDonald, McNally, McNiven, Mehlhoff, Moore, Neill, O'Hara, O'Neil, Pierson,

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Pomnichowski, Price, Reichner, C. Smith, Squires, Steenberg, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

SB 211 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

SB 213 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield,

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Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Hertz.

Total 2

Absent or not voting: Hollenbaugh.

Total 1

MOTIONS

Majority Leader Vance moved **HB 408** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 523** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, March 13, 2013. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
FIFTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 13, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Blyton. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Hertz, and Pease-Lopez, excused. Quorum present.

BILLS (O'Hara, Chair):

3/13/2013

Correctly printed: **HB 101, HB 402, HB 556, HB 566, HB 589, HB 590, HB 591, HR 4, SB 3, SB 21, SB 35, SB 44, SB 55, SB 77, SB 146, SB 252, SJR 4, SJR 8.**

Correctly engrossed: **HB 2, HB 3, HB 444, SB 189, SB 316.**

Correctly enrolled: **HB 82, HB 89, HB 136, HB 305, HB 308, HB 337, HB 356, HB 389.**

Examined by the sponsor and found to be correct: **HB 45, HB 131.**

Transmitted to the Senate: **HB 498, SB 40, SB 86, SB 101, SB 120, SB 211, SB 213.**

Signed by the Speaker at 9:20 a.m., March 14, 2013: **HB 45, HB 131.**

Signed by the Chief Clerk of the House at 9:32 a.m., March 14, 2013: **HB 45, HB 131.**

Delivered to the Governor for approval at 9:10 a.m., March 13, 2013: **HB 142, HB 179, HB 264.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

3/12/2013

SB 252, be concurred in. Report adopted.

APPROPRIATIONS (Ankney, Chair):

3/13/2013

HB 2, introduced bill, be amended as follows:

1. Title, page BP-1, line 5, through page BP-1, line 7.

Strike: "ESTABLISHING" on line 5 through "PRINCIPLES;" on line 7

2. Page BP-1, line 12

Strike: everything after the enacting clause

Insert: amendments engrossed in second reading copy

And, as amended, do pass. Report adopted.

HB 101, do pass. Report adopted.

HB 402, do pass. Report adopted.

HB 444, introduced bill, be amended as follows:

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1. Title, page 1, line 10.

Following: "DATE"

Insert: "AND AN APPLICABILITY DATE"

2. Page 3, line 20.

Following: line 19

Insert: "NEW SECTION. Section 5. Applicability. [This act] applies to tax years beginning after December 31, 2013."

And, as amended, do pass. Report adopted.

HB 556, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

3/13/2013

SB 189, be amended as follows:

1. Title, page 1, line 9.

Following: "ASSAULT;"

Insert: "PROVIDING THAT A CONVICTION FOR AGGRAVATED ASSAULT, IF THE OFFENDER WAS A PARTNER OR FAMILY MEMBER OF THE VICTIM, IS A PRIOR CONVICTION FOR PURPOSES OF PARTNER OR FAMILY MEMBER ASSAULT;"

2. Page 2, line 22 and 23.

Strike: "a conviction" on line 22 through "victim" on line 23

Insert: "if the offender was a partner or family member of the victim, a conviction for aggravated assault under 45-5-202 or assault with a weapon under 45-5-213"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

3/12/2013

SB 77, be concurred in. Report adopted.

SB 146, be concurred in. Report adopted.

SB 316, be amended as follows:

1. Page 9.

Following: line 14

Insert: "NEW SECTION. Section 5. Saving clause. [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act]."

And, as amended, be concurred in. Report adopted.

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MESSAGES FROM THE SENATE

Senate bill passed and transmitted to the House for concurrence: 3/12/2013

SB 84, introduced by Kaufmann

House bills concurred in and returned to the House: 3/12/2013

HB 45, introduced by Lavin

HB 131, introduced by Gursky

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/12/2013

HB 194, introduced by Ingraham

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 589, introduced by Jacobson, referred to Taxation.

HB 590, introduced by Hunter, referred to Human Services.

HB 591, introduced by Osmundson, referred to Business and Labor.

The following House resolution was introduced, read first time, and referred to committee:

HR 4, introduced by White, Ballance, G. Bennett, Berry, Clark, Connell, Cuffe, Edmunds, Fiscus, Fitzpatrick, Galt, Greef, Hagan, Hansen, Harris, D. Jones, Kary, Lang, Lavin, Randall, Redfield, Regier, Shaw, C. Smith, Wagoner, Washburn, Welborn, Zolnikov, referred to Agriculture.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 471 - Majority Leader Vance moved consideration of **HB 471** be passed for the day. Motion Carried.

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HB 3 - Representative Ankney moved **HB 3** do pass.

HB 3 - Representative Brodehl moved **HB 3**, second reading copy, be amended as follows:

1. Page 1, line 23.

Strike: "\$682,981"

Insert: "\$1,149,477"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 41

Voted Absentee: Doane, Aye; Pease-Lopez, No.

Excused: Hertz.

Total 1

Absent or not voting: None.

Total 0

HB 3 - Representative Gibson moved **HB 3**, second reading copy, be amended as follows:

1. Page 2, line 13.

Strike: "\$4,500,000"

Insert: "\$6,597,000"

2. Page 2, line 14.

Strike: "\$500,000"

Insert: "\$750,000"

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Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Hunter, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, Mehlhoff, Miller, Moore, Osmundson, Randall, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 54

Nays: Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Fitzpatrick, Galt, Greef, Hill, Hollenbaugh, Ingraham, Jones, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 45

Voted Absentee: Doane, Aye; Pease-Lopez, No.

Excused: Hertz.

Total 1

Absent or not voting: None.

Total 0

HB 3 - Representative Ankney moved **HB 3**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Fitzpatrick, Howard, Ingraham, Miller, O'Neil, Redfield, Schwaderer, White, Zolnikov.

Total 9

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.

Total 0

STATE INTERNET/BBS COPY

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Absent or not voting: None.

Total 0

HB 566 - Representative Woods moved **HB 566** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 3 - Representative Wilmer moved **SB 3** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

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Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 21 - Representative Bangerter moved **SB 21** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 35 - Representative O'Hara moved **SB 35** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 44 - Representative Williams moved **SB 44** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Cook.
Total 1

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 55 - Representative Pierson moved **SB 55** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns, O'Neil.

Total 2

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 4 - Representative White moved **SJR 4** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: Brodehl, Cook, Doane, Fiscus, Hagstrom, Halvorson, Howard, Kerns, McNiven, O'Neil, Osmundson, Pomnichowski, Redfield, Schwaderer, B. Smith, C. Smith, Vance, Warburton, Zolnikov.

Total 19

Voted Absentee: Hertz, Pease-Lopez, Aye; Doane, No.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

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SJR 8 - Representative Shaw moved **SJR 8** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Doane, Hertz, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

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Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 542 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Gursky, Hagan, Hagstrom, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Woods.

Total 56

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cook, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 40

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: Wilson.

Total 1

SB 12 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: Shaw.

Total 1

SB 23 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: Shaw.

Total 1

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SB 92 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Warburton.
Total 1

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.
Total 3

Absent or not voting: None.
Total 0

SB 145 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 88

Nays: Brockie, Curtis, Dudik, MacDonald, McClafferty, Peppers, Pomnichowski, Swanson, Wilson.
Total 9

Voted Absentee: None

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Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

SJR 3 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

SJR 6 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: McChesney.

Total 1

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Ballance moved to change her vote on **HB 542** from Yes to No. Without objection, so ordered.

Representative Ballance moved to change her vote on **SB 12** from Not Voting to Yes. Without objection, so ordered.

Representative Gursky moved **HB 527** be moved from the Judiciary committee to the Committee of the Whole. Motion Failed as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Voted Absentee: None.

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

HOUSE JOURNAL
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Representative Noonan moved **HB 99** be moved from the Human Services committee to the Committee of the Whole. Motion Failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 48

Voted Absentee: None

Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

Representative Hill moved **HB 236** be moved from the Judiciary committee to the Committee of the Whole. Motion Failed as follows:

Yeas: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Nays: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Voted Absentee: None

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Excused: Doane, Hertz, Pease-Lopez.

Total 3

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, March 14, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 14, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Lang. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Halvorson, Pease-Lopez, and Shaw, excused. Quorum present.

BILLS (O'Hara, Chair):

3/14/2013

Correctly printed: **HB 11, HB 517, HB 559, HB 573, HB 592, HB 593, HB 594, SB 2, SB 24, SB 34, SB 49, SB 70, SB 71, SB 76, SB 77, SB 93, SB 99, SB 137, SB 189, SB 266, SB 291, SB 326, SB 343, SB 356.**

Correctly engrossed: **HB 9, HB 583, SB 139, SB 142, SB 165, SB 202, SB 252, SB 319.**

Correctly enrolled: **HB 27, HB 172.**

Examined by the sponsor and found to be correct: **HB 82, HB 89, HB 136, HB 305, HB 308, HB 337, HB 356, HB 389.**

Transmitted to the Senate: **HB 542, SB 12, SB 23, SB 92, SB 145, SJR 3, SJR 6.**

Signed by the Speaker at 8:25 a.m., March 15, 2013: **HB 82, HB 89, HB 136, HB 305, HB 308, HB 337, HB 356, HB 389.**

Signed by the Chief Clerk of the House at 8:50 a.m., March 15, 2013: **HB 82, HB 89, HB 136, HB 305, HB 308, HB 337, HB 356, HB 389.**

Signed by the President at 9:10 a.m., March 18, 2013: **HB 45, HB 131.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-first, forty-second, forty-third, forty-fourth, and forty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/13/2013

HB 9, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "\$533,976"

Insert: "\$758,650"

2. Page 1, line 28.

Strike: "\$4,000"

HOUSE JOURNAL
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Insert: "\$4,500"

3. Page 1, line 29.

Strike: "\$4,000"

Insert: "\$4,500"

4. Page 1, line 30.

Strike: "\$2,000"

Insert: "\$2,500"

5. Page 2, line 1.

Strike: "\$3,000"

Insert: "\$3,600"

6. Page 2, line 2.

Strike: "\$2,000"

Insert: "\$2,500"

7. Page 2, line 3.

Strike: "\$2,000"

Insert: "\$2,500"

8. Page 2, line 5.

Strike: "\$12,392"

Insert: "\$15,500"

9. Page 2, line 6.

Strike: "\$12,000"

Insert: "\$15,000"

10. Page 2, line 7.

Strike: "\$10,000"

Insert: "\$12,500"

11. Page 2, line 8.

Strike: "\$5,000"

Insert: "\$6,250"

12. Page 2, line 9.

Strike: "\$7,000"

Insert: "\$8,750"

13. Page 2, line 10.

Strike: "\$7,000"

Insert: "\$8,750"

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14. Page 2, line 12.

Strike: "\$8,000"

Insert: "\$10,000"

15. Page 2, line 13.

Strike: "\$5,000"

Insert: "\$6,250"

16. Page 2, line 14.

Strike: "\$5,000"

Insert: "\$6,250"

17. Page 2, line 15.

Strike: "\$5,000"

Insert: "\$6,250"

18. Page 2, line 16.

Strike: "\$4,000"

Insert: "\$5,000"

19. Page 2, line 17.

Strike: "\$4,000"

Insert: "\$5,000"

20. Page 2, line 18.

Strike: "\$2,000"

Insert: "\$2,500"

21. Page 2, line 20.

Strike: "\$12,000"

Insert: "\$15,000"

22. Page 2, line 21.

Strike: "\$10,000"

Insert: "\$12,500"

23. Page 2, line 22.

Strike: "\$12,000"

Insert: "\$15,000"

24. Page 2, line 23.

Strike: "\$12,000"

Insert: "\$15,000"

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25. Page 2, line 24.

Strike: "\$12,000"

Insert: "\$15,000"

26. Page 2, line 25.

Strike: "\$12,000"

Insert: "\$15,000"

27. Page 2, line 26.

Strike: "\$12,000"

Insert: "\$15,000"

28. Page 2, line 27.

Strike: "\$12,000"

Insert: "\$15,000"

29. Page 2, line 28.

Strike: "\$12,000"

Insert: "\$15,000"

30. Page 2, line 29.

Strike: "\$12,000"

Insert: "\$15,000"

31. Page 2, line 30.

Strike: "\$12,000"

Insert: "\$15,000"

32. Page 3, line 1.

Strike: "\$12,000"

Insert: "\$15,000"

33. Page 3, line 2.

Strike: "\$12,000"

Insert: "\$15,000"

34. Page 3, line 3.

Strike: "\$10,000"

Insert: "\$12,500"

35. Page 3, line 4.

Strike: "\$10,000"

Insert: "\$12,500"

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36. Page 3, line 5.

Strike: "\$10,000"

Insert: "\$12,500"

37. Page 3, line 6.

Strike: "\$12,000"

Insert: "\$15,000"

38. Page 3, line 7.

Strike: "\$11,084"

Insert: "\$13,900"

39. Page 3, line 8.

Strike: "\$10,000"

Insert: "\$12,500"

40. Page 3, line 9.

Strike: "\$9,000"

Insert: "\$11,250"

41. Page 3, line 10.

Strike: "\$7,000"

Insert: "\$8,750"

42. Page 3, line 11.

Strike: "\$9,000"

Insert: "\$11,250"

43. Page 3, line 12.

Strike: "\$7,500"

Insert: "\$9,400"

44. Page 3, line 13.

Strike: "\$8,000"

Insert: "\$10,000"

45. Page 3, line 14.

Strike: "\$8,000"

Insert: "\$10,000"

46. Page 3, line 15.

Strike: "\$9,000"

Insert: "\$11,250"

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47. Page 3, line 16.

Strike: "\$5,000"

Insert: "\$6,250"

48. Page 3, line 17.

Strike: "\$7,000"

Insert: "\$8,750"

49. Page 3, line 18.

Strike: "\$9,000"

Insert: "\$11,250"

50. Page 3, line 19.

Strike: "\$9,000"

Insert: "\$11,250"

51. Page 3, line 20.

Strike: "\$7,000"

Insert: "\$8,750"

52. Page 3, line 21.

Strike: "\$7,000"

Insert: "\$8,750"

53. Page 3, line 22.

Strike: "\$5,000"

Insert: "\$6,250"

54. Page 3, line 23.

Strike: "\$5,000"

Insert: "\$6,250"

55. Page 3, line 24.

Strike: "\$6,000"

Insert: "\$20,000"

56. Page 3, line 25.

Strike: "\$9,000"

Insert: "\$11,250"

57. Page 3, line 26.

Strike: "\$6,000"

Insert: "\$7,500"

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58. Page 3, line 27.

Strike: "\$5,000"

Insert: "\$6,250"

59. Page 3, line 28.

Strike: "\$5,000"

Insert: "\$6,250"

60. Page 3, line 29.

Strike: "\$5,000"

Insert: "\$6,250"

61. Page 3, line 30.

Strike: "\$5,000"

Insert: "\$6,250"

62. Page 4, line 1.

Strike: "\$9,000"

Insert: "\$11,250"

63. Page 4, line 2.

Strike: "\$5,000"

Insert: "\$6,250"

64. Page 4, line 3.

Strike: "\$4,000"

Insert: "\$5,000"

65. Page 4, line 4.

Strike: "\$3,000"

Insert: "\$3,750"

66. Page 4, line 5.

Strike: "\$5,000"

Insert: "\$6,250"

67. Page 4, line 6.

Strike: "\$5,000"

Insert: "\$6,250"

68. Page 4, line 7.

Strike: "\$3,000"

Insert: "\$3,750"

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69. Page 4, line 8.

Strike: "\$5,000"

Insert: "\$6,250"

70. Page 4, line 9.

Strike: "\$2,000"

Insert: "\$2,500"

71. Page 4, line 11.

Strike: "\$10,000"

Insert: "\$12,500"

72. Page 4, line 12.

Strike: "\$5,000"

Insert: "\$6,250"

73. Page 4, line 13.

Following: line 12

Insert: "E. Miscellaneous

1738	Billings Symphony Society	\$15,000
1776	Rocky Mountain Ballet Theatre	\$7,500
1760	Montana Agricultural Center and Museum	\$12,000
1746	Friends of the Museum of the Plains Indians	\$2,000
1717	Hockaday Museum of Art	\$8,500
1764	Montana Preservation Alliance	\$15,000
1761	Montana Arts	\$12,500
1711	Butte-Silver Bow Public Archives	\$4,500
1702	Miles City Speaker's Bureau	\$4,000"

74. Page 4, lines 18 through 21.

Strike: "Except" on line 18 through "basis." on line 21

Insert: "(1) Except for the appropriation provided for in [section 1(3)], if money in the cultural and aesthetic projects trust fund account is insufficient to fund projects at the appropriation levels contained in [section 2], the amount of the grant for projects in section E of [section 2] must be reduced on a pro rata basis.

(2) If the grant amounts for projects in section E of [section 2] are eliminated pursuant to subsection (1) and if the money in the cultural and aesthetic projects trust fund account is insufficient to fund the remaining projects identified in [section 2], reductions to those projects with funding greater than \$4,500 must be made on a pro rata basis."

And, as amended, do pass. Report adopted.

HB 517, do pass. Report adopted.

HB 583, introduced bill, be amended as follows:

1. Title, page 1, line 8.

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Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 2, line 26.

Following: "stipend"

Insert: "."

3. Page 2, line 27 through page 3, line 1.

Strike: "of:" on page 2, line 27 through "public." on page 3, line 1

4. Page 6, line 17.

Following: line 16

Insert: "NEW SECTION. Section 16. Termination. [This act] terminates June 30, 2016."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

3/13/2013

SB 34, be concurred in. Report adopted.

SB 93, be concurred in. Report adopted.

SB 139, be amended as follows:

1. Title, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 14.

Strike: "adversely or positively"

Insert: "significantly and directly"

3. Page 1, line 17.

Strike: "an adverse or positive"

Insert: "a significant and direct"

4. Page 1, line 20.

Strike: "adverse or positive"

Insert: "significant and direct"

5. Page 1, line 23.

Following: "eliminate"

Insert: "any potential"

Following: "effects"

Strike: "described in subsection (1)(b)"

Insert: "of adopting the proposed rule"

6. Page 1, following line 30.

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Insert: "(5) The final adoption, amendment, or repeal of a rule is not subject to challenge in any court as a result of the inaccuracy or inadequacy of a small business impact analysis required under this section."

7. Page 4, following line 12.

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates July 1, 2015."

And, as amended, be concurred in. Report adopted.

SB 266, be concurred in. Report adopted.

SB 343, be concurred in. Report adopted.

EDUCATION (Hansen, Chair):

3/13/2013

SB 2, be concurred in. Report adopted.

SB 165, be amended as follows:

1. Page 3, line 29.

Strike: "certified cardiopulmonary resuscitation instructor,"

And, as amended, be concurred in. Report adopted.

SB 291, be concurred in. Report adopted.

SB 356, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/14/2013

SB 326, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

3/13/2013

SB 24, be concurred in. Report adopted.

SB 70, be concurred in. Report adopted.

SB 76, be concurred in. Report adopted.

SB 137, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/13/2013

SB 99, be concurred in. Report adopted.

SB 202, be amended as follows:

1. Page 3, line 9 through line 12.

Strike: "YIELD THE" on line 9 through "OPERATOR SHALL" on line 9

Insert: "stop and"

2. Page 3, line 13.

Following: "crosswalk"

Insert: "when the pedestrian is on or within one lane of the half of the roadway on which the vehicle is traveling or onto which it is turning. For purposes of this section, "half of the

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roadway" means all traffic lanes carrying traffic in one direction of travel and includes the entire width of a one-way roadway"

And, as amended, be concurred in. Report adopted.

SB 319, be amended as follows:

1. Title, line 7.

Following: "61-4-111,"

Strike: "AND"

Following: "61-4-112,"

Insert: "AND 61-11-105,"

2. Page 14, line 3.

Insert: "**Section 16.** Section 61-11-105, MCA, is amended to read:

"61-11-105. Release of information -- fees. (1) Subject to the limitations of this section, the department shall, upon request, furnish a person the individual Montana driving record of a driver or licensee, containing the following data:

(a) the driver's or licensee's name, driver's license number, and date of birth;

(b) driver's license status, including the license type and any endorsements, the license issue date, license restrictions, any suspensions, revocations, or cancellations that have been imposed against the driver or licensee, and the license expiration date;

(c) convictions of the driver or licensee; and

(d) traffic accidents in which the driver or licensee was involved.

(2) The department may not enter into any agreement to disclose or sell, in bulk, any data contained in an individual Montana driving record unless the requester of the information provides the department with the names, driver's license numbers, and dates of birth of the drivers or licensees from whose records a change in license status or conviction activity is to be reported.

(3) (a) The department may not disclose personal information or highly restricted personal information from an individual Montana driving record, except as permitted or required under 61-11-507, 61-11-508, or 61-11-509.

(b) The department may not disclose medical certification status, driver self-certification status, or medical certificate information from a CDLIS driver record as part of an individual Montana driving record except as expressly authorized under 49 CFR 384.225.

(4) Information relating to a traffic accident that did not involve a conviction, as defined in 61-11-203, may not be released by the department unless the release is requested or approved by a party involved in the accident or is required by court order or a duly executed subpoena.

(5) (a) Subject to the requirements of subsection (6) and except as provided in subsection (5)(b), a fee of \$4 must be paid for each individual Montana driving record requested. A fee of \$10 must be paid if a certified Montana record, as provided in 61-11-102(7), is requested. A fee of 6 cents must be paid for each individual Montana driving record that is searched by the department to report to a requester a change in license status or conviction activity from one or more individual Montana driving records.

(b) An individual Montana driving record must be provided without charge to any criminal justice agency, as defined in 44-5-103, or other state or federal agency.

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(6) In addition to the fees required in 61-11-510(3) and subsection (5) of this section, an individual Montana driving record or any report compiled from one or more individual Montana driving records that are electronically transmitted to a requester by an authorized agent as provided in 61-3-116 or through a point of entry for electronic government services are subject to the convenience fee ~~established under~~ provided for in 2-17-1103 or 61-3-116.

(7) The department may require a requester, other than a federal, state, or local government agency, seeking one or more individual Montana driving records or any data otherwise contained in one or more individual Montana driving records in electronic format to use an authorized agent as provided in 61-3-116 or a point of entry for electronic government services to obtain the record or data."

Renumber: subsequent section

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/13/2013

HB 82, introduced by Reichner

HB 89, introduced by Lynch

HB 136, introduced by McClafferty

HB 305, introduced by Lang

HB 308, introduced by Lang

HB 337, introduced by Redfield

HB 356, introduced by Clark

HB 389, introduced by Mehlhoff

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 592, introduced by Mehlhoff, Arthun, Bangerter, Blewett, Boland, Brockie, Buttrey, Caferro, Coffin, Edmunds, Gibson, Glimm, Hagan, Hamlett, Harris, Hollenbaugh, Ingraham, Jacobson, Jergeson, L. Jones, Larsen, Lavin, McCarthy, McChesney, McClafferty, McNally, O'Hara, Olson, Pierson, Price, Ripley, Wagoner, referred to Taxation.

HB 593, introduced by Wagoner, Fitzpatrick, Howard, Knudsen, D. Moore, Randall, referred to Taxation.

HB 594, introduced by Halvorson, Boulanger, Knudsen, Lang, F. Moore, Olson, Osmundson, Priest, Ripley, Rosendale, C. Smith, Walker, White, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for

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consideration of business on second reading. Motion carried. Representative McNiven in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 11 - Representative Gibson moved **HB 11** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 559 - Representative Bangerter moved **HB 559** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

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Nays: Kary, Kerns.

Total 2

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 573 - Representative Hagan moved **HB 573** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 49 - Representative Bangerter moved **SB 49** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.
Total 0

Absent or not voting: McCarthy.
Total 1

SB 71 - Representative Schreiner moved **SB 71** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.
Total 94

Nays: Cook, Fitzpatrick, Miller, Schwaderer, Woods.
Total 5

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.
Total 0

Absent or not voting: O'Hara.
Total 1

SB 77 - Representative Ingraham moved **SB 77** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus,

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Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, Brodehl, Glimm, Jones, Kerns, Lavin, Randall, Schwaderer, C. Smith, Wagoner.

Total 10

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 142 - Representative B. Bennett moved **SB 142** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 189 - Representative Laszloffy moved **SB 189** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: Doane, Halvorson, Pease-Lopez, Shaw, Aye.

Excused: None.
Total 0

Absent or not voting: Welborn.
Total 1

SB 252 - Representative Salomon moved **SB 252** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 72

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Pease-Lopez, Pomnichowski, Price, Schreiner, Whitford, Williams, Wilmer, Wilson, Woods.
Total 28

Voted Absentee: Doane, Halvorson, Shaw, Aye; Pease-Lopez, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McNiven moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: McNiven.

Total 1

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: Schwaderer.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 3 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers,

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Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Fitzpatrick, Ingraham, Jones, O'Neil, Redfield, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

HB 402 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Harris, McNiven, Mehlhoff, O'Hara, Reichner, C. Smith.

Total 6

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

HB 566 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 3 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

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SB 21 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 35 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

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Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 44 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 55 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

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Nays: Kerns, O'Neil.

Total 2

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SJR 4 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Price, Randall, Regier, Reichner, Schreiner, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: Brodehl, Fiscus, Fitzpatrick, Hagstrom, Hoven, Howard, Kerns, Lavin, McNiven, O'Neil, Osmundson, Pomnichowski, Redfield, Salomon, Schwaderer, B. Smith, C. Smith, Vance, Warburton, Zolnikov, Mr. Speaker.

Total 21

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SJR 8 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier,

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Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 559** be moved from the Committee of the Whole to the Appropriations committee.

Representative Gibson moved to change his vote on **HB 402** from Not Voting to Yes. Without objection, so ordered.

Representative Swanson moved **HB 13** be moved from the Appropriations committee to the Committee of the Whole. Motion failed as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Voted Absentee: None

Excused: Doane, Halvorson, Pease-Lopez, Shaw.

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Total 4

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, March 15, 2013.
Motion carried.

House adjourned at 2:00 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 15, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Representative Wilmer introduced Rabbi Staffman who gave the invocation. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Doane, Neill, Pease-Lopez, and Shaw, excused. Quorum present.

BILLS (O'Hara, Chair):

3/15/2013

Correctly printed: **HB 97, HB 153, HB 444, HB 447, HB 471, HB 478, HB 556, HB 595, HB 596, HB 597, HB 598, HB 599, SB 33, SB 57, SB 63, SB 67, SB 105, SB 132, SB 146, SB 176, SB 267, SB 293, SB 312, SB 316, SB 337, HJR 17, HJR 11.**

Correctly engrossed: **HB 10, HB 298, SB 114, SB 148, SB 185, SB 224, SB 225, SB 249.**

Correctly enrolled: **HB 59, HB 252, HB 270, HB 317, HB 318.**

Examined by the sponsor and found to be correct: **HB 27, HB 172.**

Transmitted to the Senate: **HB 3, HB 402, HB 566, SB 3, SB 21, SB 35, SB 44, SB 55, SJR 4, SJR 8.**

Signed by the Speaker at 4:30 p.m., March 15, 2013: **HB 27, HB 172.**

Signed by the Chief Clerk of the House at 4:35 p.m., March 15, 2013: **HB 27, HB 172.**

Signed by the President at 9:12 a.m., March 18, 2013: **HB 82, HB 89, HB 136, HB 305, HB 308, HB 337, HB 356, HB 389.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/14/2013

HB 10, introduced bill, be amended as follows:

1. Page 2, line 15.

Following: line 14

Insert: "Statewide Data Protection
2,000,000 [LRITP] 2,000,000 [Total]"

2. Page 2, line 26.

Strike: "4,434,385" in both places

Insert: "4,078,385" in both places

3. Page 2, line 28.

Strike: "\$14,782,785"

Insert: "\$10,451,785"

And, as amended, do pass. Report adopted.

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HB 153, do pass. Report adopted.

HB 447, do pass. Report adopted.

HB 478, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

3/14/2013

SB 148, be amended as follows:

1. Page 1, line 14 through line 15.

Strike: "FOR" on line 14 through "FROM" on line 15

Insert: "in an amount equal to one-half of the period of time the employee was employed prior to"

2. Page 1, following line 17.

Insert: "(b) The total amount awarded in subsection (1)(a) may not exceed the equivalent of 48 months of employment."

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SJR 11, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

3/14/2013

HB 298, introduced bill, be amended as follows:

1. Page 2, line 14.

Following: "organizations,"

Insert: "hunters,"

2. Page 2, line 21.

Strike: "environmental" through "completing"

Insert: "legislative branch for use by the environmental quality council to complete"

And, as amended, do pass. Report adopted.

SB 249, be amended as follows:

1. Page 2, line 11.

Following: "ACTIVELY"

Strike: "SEEK ADVICE, INFORMATION, AND GUIDANCE FROM"

Insert: "provide information to"

Strike: "IN ALL"

Insert: "regarding proposed policy decisions on"

2. Page 2, line 13.

Following: "LANDS"

Insert: "and to seek information and advice from counties or tribal governments on these matters"

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And, as amended, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/15/2013

SB 267, be concurred in. Report adopted.

SB 337, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

3/14/2013

SB 105, be concurred in. Report adopted.

SB 293, be concurred in. Report adopted.

SB 132, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):

3/15/2013

HJR 17, do pass. Report adopted.

SB 33, be concurred in. Report adopted.

SB 57, be concurred in. Report adopted.

SB 63, be concurred in. Report adopted.

SB 67, be concurred in. Report adopted.

SB 176, be concurred in. Report adopted.

SB 185, be amended as follows:

1. Page 2, line 4.

Strike: "has substantially equal"

Insert: "meets the required"

2. Page 2, line 17.

Strike: "qualifies"

Insert: "meets the required qualifications"

And, as amended, be concurred in. Report adopted.

SB 224, be amended as follows:

1. Page 1, line 20.

Strike: "SUBSECTION"

Insert: "subsections"

Following: "(1)(B)(II)"

Insert: "and (1)(b)(iii)"

2. Page 1, following line 26.

Insert: "(iii) Subsection (1)(b)(i) does not apply to rules that are adopted to coordinate with or incorporate federal statutes or rules."

And, as amended, be concurred in. Report adopted.

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SB 312, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/15/2013

HB 50, introduced by Howard

HB 302, introduced by Kerns

House bills concurred in and returned to the House:

3/15/2013

HB 27, introduced by Washburn

HB 172, introduced by O'Hara

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 595, introduced by Jacobson, B. Bennett, Blewett, Boland, Caferro, Coffin, Gursky, Hagan, Mehlhoff, O'Hara, Price, Schreiner, Swanson, referred to Taxation.

HB 596, introduced by Lavin, Ankney, Ballance, Berry, T. Brown, Clark, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hansen, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Rosendale, Salomon, Wagoner, Welborn, White, Zolnikov, referred to Human Services.

HB 597, introduced by Mehlhoff, referred to Transportation.

HB 598, introduced by Fiscus, referred to Taxation.

HB 599, introduced by Blyton, Ankney, Hagan, Howard, Redfield, Schwaderer, Welborn, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Eck in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 97 - Representative Wilmer moved **HB 97** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser,

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Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kerns.
Total 1

Voted Absentee: Doane, Neill, Pease-Lopez, Shaw, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 444 - Representative Jacobson moved **HB 444** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Halvorson, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 86

Nays: Brodehl, Cuffe, Galt, Hagan, Hagstrom, Hansen, Harris, Hollandsworth, Kerns, McNiven, Randall, Redfield, Salomon, Zolnikov.
Total 14

Voted Absentee: Doane, Neill, Pease-Lopez, Shaw, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 471 - Representative Hertz moved **HB 471** do pass. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Gursky, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 70

Nays: J. Bennett, Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Ingraham, Jones, Kary, Kerns, Knudsen, Lavin, Lenz, Miller, O'Neil, Osmundson, Regier, C. Smith, Vance, Wagoner, White, Mr. Speaker.

Total 29

Voted Absentee: Neill, Pease-Lopez, Shaw, Aye; Doane, No.

Excused: None.

Total 0

Absent or not voting: Zolnikov.

Total 1

HB 556 - Representative Cuffe moved **HB 556** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: J. Bennett, Hansen, Harris, Ingraham, Kerns, Miller, O'Neil, Redfield, C. Smith, Zolnikov.

Total 10

Voted Absentee: Doane, Neill, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: Edmunds.

Total 1

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HB 583 - Representative Cook moved **HB 583** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 77

Nays: J. Bennett, Berry, Doane, Flynn, Galt, Hagstrom, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lavin, McNiven, Miller, O'Neil, Regier, Schwaderer, Vance, Wagoner, White, Zolnikov.
Total 23

Voted Absentee: Neill, Pease-Lopez, Shaw, Aye. Doane, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 114 - Representative Fiscus moved **SB 114** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McClafferty, McNally, McNiven, Mehlhoff, Miller, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Schreiner, Schwaderer, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Woods, Zolnikov, Mr. Speaker.
Total 80

Nays: Ankney, B. Bennett, Dudik, Gursky, Hill, MacDonald, McCarthy, McChesney, Moore, Neill, Pease-Lopez, Pomnichowski, Reichner, Salomon, Shaw, B. Smith, Squires, Steenberg, Wilmer, Wilson.
Total 20

Voted Absentee: Doane, Aye; Neill, Pease-Lopez, Shaw, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 146 - Representative Hagan moved **SB 146** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Brockie, Peppers, Pomnichowski, Williams, Wilson.

Total 5

Voted Absentee: Doane, Neill, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 225 - Representative Bangerter moved **SB 225** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

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Nays: Pomnichowski, Wagoner.

Total 2

Voted Absentee: Doane, Neill, Pease-Lopez, Shaw, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 316 - Representative D. Moore moved **SB 316** be concurred in. Motion carried as follows:

Yeas: Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Ankney, Ballance, Cuffe, Peppers, Shaw, Welborn.

Total 6

Voted Absentee: Doane, Neill, Pease-Lopez, Aye; Shaw, No.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Eck moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Noonan,

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O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Eck.

Total 1

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Voted Absentee: None

Absent or not voting: Moore, Reichner.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 11 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Kerns.

Total 1

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

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Absent or not voting: None.

Total 0

HB 573 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Williams.

Total 1

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 49 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

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Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 71 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Fitzpatrick.

Total 1

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 77 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

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Nays: J. Bennett, Brodehl, Fitzpatrick, Glimm, Jones, Kerns, Lavin, Randall, Schwaderer, C. Smith, Wagoner.

Total 11

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 142 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 189 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: None.

Total 0

SB 252 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 74

Nays: B. Bennett, Boland, Curtis, Dudik, Eck, Gursky, Hill, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Peppers, Pomnichowski, B. Smith, Squires, Whitford, Williams, Wilson, Woods.

Total 21

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: O'Hara.

Total 1

MOTIONS

Majority Leader Vance moved to suspend the rules in order to place House Bill 583 on Third

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Reading today the 56th Legislative Day. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.
Total 4

Absent or not voting: None.
Total 0

Without Objection, the Speaker directed the members of the body to stand at ease while a 2nd agenda was distributed.

The House reverted back to Order of Business #8, 3rd Reading of Bills.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 583 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr.

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Speaker.

Total 78

Nays: J. Bennett, Flynn, Galt, Harris, Howard, Kary, Kerns, Knudsen, Lavin, Miller, Randall, Regier, Schwaderer, Vance, Wagoner, Zolnikov.

Total 16

Voted Absentee: None.

Excused: Doane, Neill, Pease-Lopez, Shaw.

Total 4

Absent or not voting: Ankney, Welborn.

Total 2

MOTIONS

Majority Leader Vance moved **HB 471** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 114** be moved from the Committee of the Whole to the Appropriations committee.

Representative Coffin moved to change his vote on **HB 583** from Not Voting to Yes. Without objection, so ordered.

Representative Connell moved to change his vote on **SB 146** from Not Voting to Yes. Without objection, so ordered.

Representative Mehlhoff moved to change his vote on **SB 252** from Not Voting to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, March 16, 2013. Motion carried.

House adjourned at 2:05 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
FIFTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 16, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative McCarthy. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hill, Warburton and Whitford, excused. Quorum present.

BILLS (O'Hara, Chair):

3/16/2013

Correctly printed: **HB 9, HB 101, HB 517, HB 600, HB 601, HB 602, HB 603, HB 604, HJR 16, HJR 18, SB 2, SB 34, SB 93, SB 103, SB 106, SB 116, SB 139, SB 165, SB 172, SB 181, SB 223, SB 230, SB 270, SB 275, SB 314, SB 319, SB 325, SB 327, SB 343, SB 356.**

Correctly engrossed: **HB 509, SB 26, SB 133, SB 259, SB 266, SB 291, SJR 18.**

Correctly enrolled: **HB 351.**

Examined by the sponsor and found to be correct: **HB 59, HB 252, HB 270, HB 317, HB 318.**

Transmitted to the Senate: **HB 11, HB 573, HB 583, SB 49, SB 71, SB 77, SB 142, SB 189, SB 252.**

Signed by the Speaker at 7:45 a.m., March 18, 2013: **HB 59, HB 252, HB 270, HB 317, HB 318.**

Signed by the Chief Clerk of the House at 8:34 a.m., March 18, 2013: **HB 59, HB 252, HB 270, HB 317, HB 318.**

Signed by the President at 9:16 a.m., March 18, 2013: **HB 27, HB 172.**

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/15/2013
HB 509, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Strike: "REDUCING" on line 4 through "SERVICES;" on line 5

2. Title, page 1, line 11.

Strike: the first "AND"

Following: "10-4-301,"

Insert: "AND 10-4-313,"

3. Page 1, line 30.

Following: "(2)"

Strike: "A"

Insert: "(a) Except as provided in subsection (2)(b), a seller may deduct and retain the entirety of the 2014 first quarter's fees.

(b) The amount retained in accordance with subsection (2)(a) may not exceed \$300. Any amount collected above \$300 must be held in trust for the state of Montana and for payment in

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accordance with 10-4-204.

(c)Beginning in the second quarter of 2014, a"

4. Page 2, line 29.

Strike: "10-4-301(1)(a)"

Insert: "10-4-301(2)(a)"

5. Page 3, line 21.

Strike: "10-4-301(1)(b)"

Insert: "10-4-301(2)(b)"

6. Page 5, line 24.

Strike: "10"

Insert: "25"

7. Page 6, line 4.

Strike: "85 cents"

Insert: "\$1"

8. Page 6, line 26.

Following: "services"

Insert: "or the amount charged for the prepaid wireless fee"

9. Page 8, line 22.

Following: "**accounts.**"

Insert: "(1) All money received by the department of revenue pursuant to 10-4-201 must be paid to the state treasurer for deposit in the appropriate account. An amount equal to 2.74% of the money received pursuant to 10-4-201 must be deposited in an account in the state special revenue fund to be used for the administration of this chapter. Any remaining funds at the end of a fiscal year must be equally distributed to each of the four accounts provided for in subsection (2)."

Renumber: subsequent subsections

10. Page 9, line 3 through line 7.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

11. Page 9, line 8.

Strike: "(1)"

Insert: "(2)"

12. Page 9, line 13.

Strike: "(1)"

Insert: "(2)"

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13. Page 9.

Following: line 16

Insert: "Section 11. Section 10-4-313, MCA, is amended to read:

"10-4-313. Distribution of wireless enhanced 9-1-1 account by department. (1) The department shall make quarterly distribution of the portion of the wireless enhanced 9-1-1 account for allowable costs described in ~~10-4-301(1)(c)(iii)~~ 10-4-301(2)(c)(ii) incurred by each wireless provider in each 9-1-1 jurisdiction as follows:

(a) For each fiscal year through the fiscal year ending June 30, 2015:

(i) 84% of the balance of the account must be allocated to the wireless providers providing wireless enhanced 9-1-1 in each county on a per capita basis. The wireless provider in each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(ii) the balance of the account must be allocated evenly to the wireless providers providing wireless enhanced 9-1-1 in counties with 1% or less of the total population of the state; and

(iii) prior to distribution, the amounts allocated under subsections (1)(a)(i) and (1)(a)(ii) must be adjusted to ensure that a wireless provider does not receive less than the amount allocated to wireless providers providing wireless enhanced 9-1-1 in counties with 1% or less of the total population of the state.

(b) For fiscal years beginning after June 30, 2015, 100% of the balance of the account must be allocated to the wireless providers providing wireless enhanced 9-1-1 in each county on a per capita basis. Each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(c) If the department is unable to fully reimburse a wireless provider under subsection (1)(a) in any quarter, the department shall in the subsequent quarter pay from the allocation under subsection (1)(a) to wireless providers any unpaid balances from the previous quarter. If the amount available is insufficient to pay all previous unpaid balances, the department shall repeat the process of paying unpaid balances that remain unpaid for as many quarters as necessary until all unpaid balances are fully paid. The department shall review all invoices for appropriateness of costs claimed by the wireless provider. If the wireless provider contests the review, payment may not be made until the amount owed to the wireless provider is determined.

(d) A wireless provider shall submit an invoice for cost recovery according to the allowable costs.

(e) The department shall determine the percentage of overall subscribers, based on billing addresses, within the 9-1-1 jurisdiction for each wireless provider seeking cost recovery by dividing the wireless provider's subscribers by the total number of subscribers in that 9-1-1 jurisdiction. The percentage must be applied to the total wireless provider funds for that 9-1-1 jurisdiction, and each wireless provider shall receive distribution based on the provider's percentage. To receive cost recovery, wireless providers shall submit subscriber counts to the department on a quarterly basis. The subscriber count must be provided for each 9-1-1 jurisdiction in which the wireless provider receives cost recovery within 30 calendar days following the end of each quarter. The department shall recalculate distribution percentages on a quarterly basis.

(f) If the department determines that a wireless provider has submitted costs that exceed allowable costs or are not submitted in the manner prescribed in 10-4-115, the department may, after giving notice to the wireless provider, suspend or withhold payment from the wireless enhanced 9-1-1 account.

(2) The department shall make quarterly distribution of the portion of the wireless enhanced

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9-1-1 account described in ~~10-4-301(1)(c)(i)~~ 10-4-301(2)(c)(i) to each 9-1-1 jurisdiction as follows:

(a) for each fiscal year through the fiscal year ending June 30, 2015:

(i) 84% of the balance of the account must be allocated to cities and counties on a per capita basis. However, each county must be allocated a minimum of 1% of the balance of the counties' share of the account.

(ii) the balance of the account must be allocated evenly to the counties with 1% or less than 1% of the total population of the state; and

(iii) prior to distribution, the amounts allocated under subsections (2)(a)(i) and (2)(a)(ii) must be adjusted to ensure that a county does not receive less than the amount allocated to counties with 1% or less of the total population of the state; and

(b) for fiscal years beginning after June 30, 2015, 100% of the balance of the account must be allocated to cities and counties on a per capita basis. However, each county must be allocated a minimum of 1% of the balance of the counties' share of the account.""

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 26, be amended as follows:

1. Page 4, line 4 through line 5.

Strike: "the" on line 4 through "with" on line 5

Insert: "a tradeable certificate of proof of"

2. Page 4, line 5.

Strike: "and"

Insert: ", including all of the environmental attributes associated with that 1 megawatt-hour unit of electricity production, that is"

3. Page 4, line 27.

Following: "and"

Insert: "69-3-2007 and"

4. Page 6, line 2.

Following: "the"

Insert: "associated"

5. Page 6, line 3.

Following: "separately"

Insert: "that have not been sold separately"

6. Page 6, line 29.

Strike: "all"

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7. Page 7, line 2 through line 3.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

8. Page 7, line 8.

Strike: "all"

And, as amended, be concurred in. Report adopted.

SB 106, be concurred in. Report adopted.

SB 325, be concurred in. Report adopted.

SB 327, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):

3/15/2013

HJR 16, do pass. Report adopted.

SB 103, be concurred in. Report adopted.

SB 172, be concurred in. Report adopted.

SB 181, be concurred in. Report adopted.

SB 223, be concurred in. Report adopted.

SB 230, be concurred in. Report adopted.

SB 270, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/15/2013

SB 133, be amended as follows:

1. Title, page 1, line 6.

Following: "PERMIT;"

Insert: "ALLOWING CERTAIN PERSONS TO CARRY A CONCEALED WEAPON IN PROHIBITED PLACES; DELETING THE PROVISION PROVIDING THAT IT IS NOT A DEFENSE THAT THE PERSON HAD A VALID PERMIT TO CARRY A CONCEALED WEAPON;"

2. Page 2, line 2 through line 4.

Strike: "legislative" on line 2 through "45-8-317(1)(l)" on line 4

Insert: "persons listed in 45-8-317(1)(a) through (1)(h), (1)(k), and (1)(l)"

3. Page 2, line 16.

Following: "(2)"

Strike: "It is not a defense" through "weapon."

And, as amended, be concurred in. Report adopted.

SB 259, be amended as follows:

1. Page 1, line 25.

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Following: "shall"

Insert: ":"
(a)"

2. Page 1, line 27.

Following: "person"

Insert: "; and

(b) inform the person whose conviction has been vacated under this section that the person may be eligible for certain state and federal programs and services and provide the person with information for contacting appropriate state and federal victim services organizations"

And, as amended, be concurred in. Report adopted.

SJR 18, be amended as follows:

1. Title, page 1, line 7.

Following: "BUDGET;"

Insert: "ANNUALLY PRODUCE A BALANCED BUDGET,"

Following: "ANNUAL"

Insert: "ANNUAL"

Following: "LEVELS;"

Insert: ", "

2. Page 1, line 30.

Following: line 29

Insert: "WHEREAS, the fiscal policies of the United States federal government have placed our country on an untenable path, creating unprecedented debt, hindering job creation, and threatening future generations of Montanans with a bleak future; and

WHEREAS, high levels of debt directly threaten the ability of a government to control its own budget priorities; and

WHEREAS, our nation's fiscal crisis threatens our economy and national security, has contributed to a loss of trust in government, and exposes individual states to dire economic times; and

WHEREAS, the federal government in 2011 raised the debt ceiling to prevent the United States from facing its first ever default; and

WHEREAS, the interest expense on our national debt exceeds \$151 billion for fiscal year 2013, and by 2023, interest on the national debt is estimated to be nearly \$900 billion; and

WHEREAS, payments on our nation's debt exceed \$200 billion annually, and as a result, the credit rating of the United States in 2011 was lowered for the first time; and

WHEREAS, by borrowing revenue from the future and spending it today, our nation's debt is being passed on to future generations who have no say in the decisionmaking process; and

WHEREAS, passing our debt to the next generation is contradictory to the American principle of leaving our nation, states, and local communities in better shape than we found them; and

WHEREAS, the federal debt threatens the livelihood of Montana's veterans; and

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WHEREAS, the federal cost of Medicaid expansion across all states is projected to add \$931 billion or nearly \$1 trillion to the national debt; and"

3. Page 2, line 8.

Following: line 7

Insert: "WHEREAS, the people of Montana expect and demand the same of our federal government; and

WHEREAS, the federal government has failed to approve a budget since 2009 and has not produced a balanced budget since 2001; a budget is not only a constitutional requirement, it is a fundamental responsibility and a reflection of principles and vision; and"

4. Page 2, line 14.

Following: "budget,"

Insert: "annually produce a balanced budget,"

Following: "annual"

Insert: "annual"

Following: "levels,"

Insert: ", "

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/15/2013

SB 116, be concurred in. Report adopted.

SB 275, be amended as follows:

1. Page 1, line 14.

Strike: "VERIFYING"

Insert: "verify"

And, as amended, be concurred in. Report adopted.

SB 314, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/15/2013

HB 463, introduced by G. Bennett

House bills concurred in and returned to the House:

3/15/2013

HB 59, introduced by Lynch

HB 252, introduced by Ingraham

HB 270, introduced by Schwaderer

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HB 317, introduced by Hunter
HB 318, introduced by Mehlhoff

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 600, introduced by Warburton, Arntzen, Ballance, Bangerter, Blasdel, Blyton, D. Brown, Hansen, Kerns, Knudsen, Laszloffy, Miller, O'Neil, Regier, Taylor, referred to Business and Labor.
HB 601, introduced by Coffin, Court, Dudik, MacDonald, D. Moore, O'Hara, Squires, referred to Human Services.
HB 602, introduced by Eck, referred to Human Services.
HB 603, introduced by Zolnikov, referred to Judiciary.
HB 604, introduced by C. Smith, referred to Human Services.

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 18, introduced by Clark, Arntzen, Blasdel, Blewett, Eck, Facey, Greef, Hill, Jergeson, Kary, Keane, Knudsen, Larsen, Malek, McCarthy, McClafferty, Miller, Pierson, Pomnichowski, Schreiner, Schwaderer, Sesso, Sonju, Steenberg, Van Dyk, Wanzenried, Welborn, Woods, referred to Business and Labor.

The following Senate bill was introduced, read first time, and referred to committee:

SB 265, introduced by Jackson, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 9 - Representative Hollandsworth moved **HB 9** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr.

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Speaker.

Total 69

Nays: J. Bennett, Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, O'Neil, Pease-Lopez, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 31

Voted Absentee: Hill, Whitford, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 101 - Representative Ehli moved **HB 101** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: J. Bennett, Doane, Galt, Kerns, McNiven, Randall, Regier, Schwaderer.

Total 8

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 517 - Representative Cuffe moved **HB 517** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr.

Speaker.

Total 91

Nays: Brodehl, Flynn, Glimm, Kary, Kerns, O'Neil, Wagoner, White, Zolnikov.

Total 9

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 2 - Representative Schreiner moved **SB 2** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

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Absent or not voting: Edmunds.

Total 1

SB 34 - Representative Neill moved **SB 34** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Doane, Howard, Kary, Miller, Schwaderer.

Total 5

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 93 - Representative Pierson moved **SB 93** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Glimm, Hansen, Harris, Howard, Kary, Kerns, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 24

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Voted Absentee: Hill, Whitford, Aye; Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 139 - Representative C. Smith moved **SB 139** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 165 - Representative Wilmer moved **SB 165** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 266 - Representative Hunter moved **SB 266** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: McNiven.
Total 1

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: O'Hara.
Total 1

SB 291 - Representative Salomon moved **SB 291** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 319 - Representative Lavin moved **SB 319** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Berry, B. Smith, White.
Total 3

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 343 - Representative Clark moved **SB 343** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: J. Bennett, Brodehl, Jones, Kary, Kerns, Miller, Schwaderer, Zolnikov.

Total 8

Voted Absentee: Hill, Warburton, Whitford, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 356 - Representative Washburn moved **SB 356** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Hill, Warburton, Whitford, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Cook.

Total 1

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: Washburn.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 97 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Jones, Kerns.
Total 2

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.
Total 3

Absent or not voting: None.
Total 0

HB 153 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Harris, Hertz, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Wilson, Woods, Mr. Speaker.
Total 88

Nays: Hagstrom, Hansen, Hollandsworth, Jones, Kerns, McNiven, O'Neil, Williams, Zolnikov.
Total 9

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.
Total 3

Absent or not voting: None.
Total 0

HB 444 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie,

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Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hertz, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: J. Bennett, Brodehl, Cuffe, Galt, Hagstrom, Hansen, Harris, Hollandsworth, Kerns, McNiven, Randall, Salomon, Zolnikov.

Total 13

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: Miller.

Total 1

HB 447 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Hagstrom, Kary, Schwaderer, Zolnikov.

Total 4

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

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HB 478 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Connell, Court, Ingraham, Jones, Kerns, MacDonald, Miller, O'Neil, Pease-Lopez, Welborn, White.

Total 11

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

HB 556 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Fitzpatrick, Hansen, Harris, Kerns, Miller, O'Neil, Schwaderer, C. Smith, Zolnikov.

Total 10

Voted Absentee: None.

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Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

SB 146 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Pease-Lopez, Williams.

Total 2

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

SB 225 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

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Nays: Wagoner.

Total 1

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

SB 316 concurred in as follows:

Yeas: Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ankney, Ballance, Welborn.

Total 3

Voted Absentee: None.

Excused: Hill, Warburton, Whitford.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Redfield moved to change his vote on **HB 556** from Not Voting to Yes. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Representative Jerry Bennett thanked the pages for their service.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 18, 2013.
Motion carried.

House adjourned at 8:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
March 18, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Reichner. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives D. Moore and Squires, excused. Quorum present.

BILLS (O'Hara, Chair):

3/18/2013

Correctly printed: **HB 605, HB 606, HB 607, HB 608, SB 33, SB 57, SB 63, SB 70, SB 99, SB 108, SB 132, SB 136, SB 138, SB 239, SB 249, SB 361, SJR 17.**

Correctly engrossed: **HB 546, SB 56, SB 267, SB 326.**

Correctly enrolled: **HB 273, HB 330, HB 333, HB 347, HB 367, HB 399.**

Examined by the sponsor and found to be correct: **HB 351.**

Transmitted to the Senate: **HB 97, HB 153, HB 444, HB 447, HB 478, HB 556, SB 146, SB 225, SB 316.**

Signed by the Speaker at 3:20 p.m., March 19, 2013: **HB 351.**

Signed by the Chief Clerk of the House at 7:43 a.m., March 20, 2013: **HB 351.**

Signed by the President at 12:15 p.m., March 18, 2013: **HB 59, HB 252, HB 270, HB 317, HB 318.**

Delivered to the Governor for approval at 9:47 a.m., March 18, 2013: **HB 27, HB 45, HB 82, HB 89, HB 131, HB 136, HB 172, HB 305, HB 308, HB 337, HB 356, HB 389.**

Delivered to the Governor for approval at 1:34 p.m., March 18, 2013: **HB 59, HB 252, HB 270, HB 317, HB 318.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

3/18/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, March 16, 2013:

Steven Nistler, Helena
Skylar Smith, Kalispell
Troy Manoukian, Malta
MaKaylin Randall, Troy
Brandon Hendrickson, Kalispell
Atticus Proctor, Helena
Erika Ackerlund, Helena

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 18, 2013:

Karlee Alexander, Billings

STATE INTERNET/BBS COPY

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Casey Kinyon, Galata
Soren Chargois, Great Falls
Caleb Chestnut, Bozeman
Azia Smith, Polson
Lily Wright, Belgrade
Raelynn Calf Boss Ribs, Heart Butte
Austin Running Crane, Valier

Report Adopted.

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/15/2013
HB 546, introduced bill, be amended as follows:

1. Page 1, line 21 through line 22.
Strike: subsection (b) in its entirety
Renumber: subsequent subsections

2. Page 1, line 24.
Following: "have a"
Insert: "yellow"

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):
SB 56, be amended as follows:

3/18/2013

1. Page 1, line 21.
Strike: "second Monday"
Insert: "first Thursday after the first Tuesday"

And, as amended, be concurred in. Report adopted.

SB 108, be concurred in. Report adopted.
SB 136, be concurred in. Report adopted.
SB 138, be concurred in. Report adopted.
SB 239, be concurred in. Report adopted.
SB 361, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

3/16/2013

HB 351, introduced by Edmunds

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House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/16/2013

HB 206, introduced by Flynn

Senate bill passed and transmitted to the House for concurrence:

3/16/2013

SB 376, introduced by Jent

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 605, introduced by Schwaderer, Blyton, referred to Local Government.

HB 606, introduced by McChesney, Ankney, Cook, F. Moore, Olson, referred to Appropriations.

HB 607, introduced by Lavin, referred to Transportation.

HB 608, introduced by Cuffe, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hertz in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HJR 17 - Representative Gibson moved **HJR 17** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns.

Total 1

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Voted Absentee: Moore, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: Reichner.

Total 1

SB 33 - Representative Price moved **SB 33** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Moore, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 57 - Representative Ingraham moved **SB 57** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Harris.
Total 1

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 63 - Representative Schreiner moved **SB 63** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 70 - Representative G. Bennett moved **SB 70** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 99 - Representative Fiscus moved **SB 99** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Miller.
Total 1

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 132 - Representative Ingraham moved **SB 132** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr.

Speaker.

Total 91

Nays: Blyton, Harris, Kerns, Miller, Randall, Redfield, Schwaderer, C. Smith, Zolnikov.

Total 9

Voted Absentee: Moore, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 202 - Representative Wilson moved **SB 202** be concurred in. Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 47

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr.

Speaker.

Total 53

Voted Absentee: Squires, Aye; Moore, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 249 - Representative White moved **SB 249** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Moore, Aye; Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 267 - Representative Fitzpatrick moved **SB 267** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

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Nays: Ankney, Cuffe, Glimm, Greef, Harris, Ingraham, Miller, O'Neil, Osmundson, Redfield, Schwaderer, Shaw, Warburton, Welborn, Zolnikov.
Total 15

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 326 - Representative MacDonald moved **SB 326** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Moore, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hertz moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter,

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Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Gursky, Whitford.

Total 2

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: McNally.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 9 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kary, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Nays: J. Bennett, Brodehl, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kerns, Knudsen, Laszloffy, Lavin, McNiven, Miller, O'Neil, Pease-Lopez, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 35

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

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Absent or not voting: Boss Ribs.

Total 1

HB 101 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: J. Bennett, Doane, Galt, Kerns, McNiven, Randall, Regier, Schwaderer.

Total 8

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

HB 517 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Brodehl, Flynn, Glimm, Kary, Kerns, O'Neil, Redfield, C. Smith, Warburton, White, Zolnikov.

Total 11

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Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 2 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 34 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods,

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Zolnikov, Mr. Speaker.

Total 92

Nays: Doane, Kary, Miller, Schwaderer.

Total 4

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs, Brockie.

Total 2

SB 93 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 73

Nays: Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Glimm, Greef, Harris, Howard, Jones, Kary, Kerns, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 24

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 139 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 165 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

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SB 266 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Ankney, McNiven.

Total 2

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 291 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 319 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Smith, White.

Total 2

Voted Absentee: None.

Excused: Moore, Squires.

Total 2

Absent or not voting: Boss Ribs.

Total 1

SB 343 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 84

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Nays: J. Bennett, Brodehl, Fitzpatrick, Hoven, Kary, Kerns, Lavin, Miller, Randall, Schwaderer, C. Smith, Zolnikov, Mr. Speaker.
Total 13

Voted Absentee: None.

Excused: Moore, Squires.
Total 2

Absent or not voting: Boss Ribs.
Total 1

SB 356 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Moore, Squires.
Total 2

Absent or not voting: Boss Ribs, Lynch.
Total 2

UNFINISHED BUSINESS

Minority Leader Hunter rose in Objection. The objection was that **HJ 8** had been tabled in Natural Resources and missed transmittal and now a new bill **HR4** which is essentially the same bill with very minor changes was being brought forward but assigned to Agriculture. Joint Rule Number 47 says this is improper. A hearing of the Rules Committee would be requested but the Minority feels that asking for a ruling would be futile. All members of the Minority stood

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in objection to **HR4**. The Objection was noted by the Speaker of the House.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Tuesday, March 19, 2013. Motion carried.

House adjourned at 2:05 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
FIFTY-NINTH LEGISLATIVE DAY**

Helena, Montana
March 19, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Curtis. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Coffin, excused. Quorum present.

BILLS (O'Hara, Chair):

3/19/2013

Correctly printed: **HB 2, HB 609, HB 610, HR 5, SB 24, SB 26, SB 45, SB 67, SB 76, SB 154, SB 332, SB 345, SB 364.**

Correctly engrossed: **HB 535, HB 575, HB 579, SB 103, SB 105, SB 125, SB 148, SB 181.**

Correctly enrolled: **HB 245, HB 368, HB 371, HB 422, HJR 2.**

Examined by the sponsor and found to be correct: **HB 273, HB 330, HB 333, HB 347, HB 367, HB 399.**

Transmitted to the Senate: **HB 9, HB 101, HB 517, SB 2, SB 34, SB 93, SB 139, SB 165, SB 202, SB 266, SB 291, SB 319, SB 343, SB 356.**

Signed by the Speaker at 3:25 p.m., March 19, 2013: **HB 273, HB 330, HB 333, HB 347, HB 367, HB 399.**

Signed by the Chief Clerk of the House at 7:43 a.m., March 20, 2013: **HB 273, HB 330, HB 333, HB 347, HB 367, HB 399.**

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Ingraham, Chair):

3/18/2013

HB 579, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "MILITARY"

Insert: "STRATEGIC AND"

2. Page 1, line 29.

Following: "military"

Insert: "strategic and"

3. Page 1, line 30.

Following: "(1)"

Insert: "(a)"

Following: "military"

Insert: "strategic and"

Following: "consisting of"

Strike: "five"

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Insert: "seven"

Following: "voting"

Insert: "members appointed by the governor upon recommendation of the person or entities, if applicable, as provided for in subsection (1)(b)"

4. Page 2, line 1.

Strike: "two"

Insert: "up to three"

Strike: ", as follows:"

Insert: "appointed by the legislature. Each member must be a resident of Montana."

5. Page 2, line 2 through line 13.

Strike: line 2 through line 13 in their entirety

Insert: "(b) The voting members must be as follows:

(i) the adjutant general;

(ii) a member representing the business community as recommended by a statewide organization that represents Montana businesses;

(iii) a member representing the interests of the active duty military in Montana as recommended by the state's highest active duty military commander or, in the absence of a recommendation from the commander, by the governing body of the county where the military has the highest economic impact in the state;

(iv) a member representing veterans of the armed forces;

(v) a member with knowledge about the employment challenges experienced by national guard and federal reserve service members as recommended by a statewide organization that advocates for service members and their employers;

(vi) a member representing the enlisted men and woman of the armed forces as recommended by a statewide organization that represents the enlisted men and women of the armed forces;

(vii) a member representing military and aerospace manufacturing in Montana as recommended by a statewide organization that represents manufacturing business in Montana."

6. Page 2, line 14.

Strike: "(b)"

Insert: "(c)"

7. Page 2, line 16.

Following: "representatives"

Insert: ";

(iii) a state senator or state representative selected jointly by the minority leaders of the senate and the house of representatives if the senate and the house of representatives are controlled by the same party"

8. Page 2, line 25.

Following: "Montana"

Insert: "and serve a role in the defense strategy of the nation"

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9. Page 2, line 26.

Following: "economic"

Insert: "and strategic"

10. Page 3, line 1.

Following: "economy"

Insert: "and the strategic impact for the nation of those programs and assets"

11. Page 3, line 4.

Following: "opportunities"

Insert: "and to play a role in the nation's strategy for national defense"

12. Page 3, line 12.

Strike: "A member's term of office is 4 years"

Insert: "Members must be appointed to 4-year staggered terms"

13. Page 3, following line 14.

Insert: "(6) The task force shall formulate a budget and submit a copy of that budget to the state administration and veterans' affairs interim committee by December 31, 2013."

14. Page 3.

Following: line 21

Insert: "NEW SECTION. **Section 3. Implementation of staggered appointments.** To implement the staggered appointment criteria established in [section 1(5)], the initial appointments of the following members of the Montana military strategic and economic impact task force must be for 2 years:

 (1) the business community representative appointed under [section 1(1)(b)(ii)];

 (2) the active duty liaison member appointed under [section 1(1)(b)(iii)]; and

 (3) the employment challenges member appointed under [section 1(1)(b)(v)]."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/18/2013

HB 273, introduced by McClafferty

HB 330, introduced by Fitzpatrick

HB 333, introduced by Price

HB 347, introduced by Fitzpatrick

HB 367, introduced by McNiven

HB 399, introduced by Ballance

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House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/18/2013

HB 224, introduced by C. Smith

Senate joint resolution passed and transmitted to the House for concurrence:

3/18/2013

SJR 20, introduced by Webb

MESSAGES FROM THE GOVERNOR

March 18, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 28** sponsored by Representative Bangerter, **House Bill 123** sponsored by Representative Regier, **House Bill 142** sponsored by Representative Connell, **House Bill 179** sponsored by Representative Randall, **House Bill 190** sponsored by Representative Knudsen, and **House Bill 243** sponsored by Representative Wilson on March 18, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 609, introduced by Connell, referred to Fish, Wildlife and Parks.

HB 610, introduced by Harris, G. Bennett, Blasdel, Galt, Hansen, Kerns, Knudsen, Lang, Osmundson, Randall, Redfield, Schwaderer, Shaw, C. Smith, White, referred to Agriculture.

The following House resolution was introduced, read first time, and referred to committee:

HR 5, introduced by Kerns, referred to Judiciary.

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The following Senate bills were introduced, read first time, and referred to committees:

SB 7, introduced by Caferro (by request of the Select Committee on Efficiency in Government), referred to Human Services.

SB 161, introduced by Tropila, referred to Transportation.

SB 173, introduced by Keane (by request of the Office of Budget and Program Planning), referred to Business and Labor.

SB 241, introduced by Brenden, referred to State Administration.

SB 352, introduced by Thomas, Jergeson, referred to Human Services.

SB 376, introduced by Jent, referred to State Administration.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 17 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Kerns.

Total 1

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 33 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,

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Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 57 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Harris, Kerns.

Total 2

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Boss Ribs, Reichner.

Total 2

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SB 63 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner, Squires.

Total 2

SB 70 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 99 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Miller, Schwaderer.

Total 2

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 132 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

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Nays: J. Bennett, Blyton, Harris, Kerns, Randall, Redfield, C. Smith.

Total 7

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 249 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 267 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford,

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Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 89

Nays: Greef, Harris, Ingraham, Miller, O'Neil, Osmundson, Schwaderer, Warburton, Zolnikov.

Total 9

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

SB 326 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: Reichner.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Knudsen in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 2 - Representative Ankney moved **HB 2** do pass.

HB 2 - Representative Hollenbaugh moved to close Section A. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Hollenbaugh moved to close Section B. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Hollenbaugh moved to close Section C. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Hollenbaugh moved to close Section D. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Hollenbaugh moved to close Section E. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Coffin.

Total 1

Absent or not voting: None.

Total 0

HB 2 - Representative Ankney moved **HB 2** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Coffin, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Coffin.
Total 1

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Absent or not voting: Hollandsworth, Randall.

Total 2

MOTIONS

Majority Leader Vance moved that the House recess until 1:00 p.m. Motion carried.

House in Recess.

House Reconvened.

Roll Call. All members present, except Representative Coffin and Squires, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/18/2013
HB 575, introduced bill, be amended as follows:

1. Title, page 1, line 4 through line 5.

Strike: "THE DEFINITION" on line 4 through "COSTS"" on line 5

Insert: "DEFINITIONS"

2. Title, page 1, line 7 through line 9.

Strike: "PROHIBITING" on line 7 through "COMMUNICATIONS;" on line 9

3. Title, page 1, line 9.

Strike: ", 10-4-303, 10-4-312,"

4. Page 1, line 17.

Strike: "include but are not limited to"

Insert: "means"

5. Page 1, line 18 through line 19.

Following: "software" on line 18

Strike: "and" on line 18 through "expenses" on line 19

6. Page 1, line 19.

Strike: "current or future"

7. Page 1, line 19 through line 20.

Following: "orders" on line 19

Strike: "mandates" on line 19 through "data" on line 20

Insert: "orders for the delivery of 9-1-1 calls and data as set forth in 47 CFR 20.18"

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8. Page 3.

Following: line 2

Insert: "(15) "Per capita basis" means a calculation made according to the most recent decennial census or population estimate compiled by the United States bureau of the census."

Renumber: subsequent subsections

9. Page 4, line 5 through line 24.

Strike: section 2 through section 3 in their entirety

Renumber: subsequent sections

10. Page 4, line 27.

Strike: "The"

Insert: "Except as provided in subsection (2), the"

11. Page 6, line 1 through line 2.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

12. Page 6, line 3 through 4.

Strike: "(4)" on line 3 through "(2)" on line 4

Insert: "(3) and after the distribution for the final quarter of each fiscal year is made pursuant to subsection (1)"

13. Page 6, line 4.

Strike: "30"

Insert: "45"

14. Page 6, line 5.

Strike: subsection (i) in its entirety

Renumber: subsequent subsections

15. Page 6, line 8.

Strike: "(3)(b)"

Insert: "(2)(b)"

16. Page 6, line 9.

Strike: "(3)(a)(ii)"

Insert: "(2)(a)(i)"

17. Page 6, line 11.

Strike: "(3)(a)(ii)"

Insert: "(2)(a)(i)"

Strike: "fully"

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18. Page 6, line 12.

Following: "providers"

Insert: "in full"

Strike: "(3)(a)(iii)"

Insert: "(2)(a)(ii)"

19. Page 6, line 13.

Strike: "allocate"

Insert: "distribute"

20. Page 6, line 15 through line 18.

Strike: ":", on line 15 through "(b)" on line 18

21. Page 6, line 19.

Strike: "subsections (2) through (4)"

Insert: "subsection (2)"

22. Page 6, line 28 through line 29.

Strike: "(6)(a)(i)" on line 28 through "(6)(a)(ii)" on line 29

Insert: "(5)(a)(i) and (5)(a)(ii)"

23. Page 7, line 4 through line 5.

Strike: subsection (7) in its entirety

And, as amended, do pass. Report adopted.

SB 45, be concurred in. Report adopted.

SB 125, be amended as follows:

1. Page 3, line 13.

Strike: "OF \$500"

Insert: "not to exceed \$1,000"

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

3/18/2013

HB 535, introduced bill, be amended as follows:

1. Title, page 1, line 11.

Strike: "SECTION"

Insert: "SECTIONS"

Following: "77-1-208"

Insert: "AND 77-6-303"

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2. Page 2, line 5.

Strike: "and (4)(c)"

3. Page 2, line 14.

Strike: "and" through "appraisal"

4. Page 2, line 21 through page 3, line 5.

Strike: line 21 in its entirety through "landscaping." on page 3, line 5

5. Page 3, line 6.

Insert: **"Section 2.** Section 77-6-303, MCA, is amended to read:

"77-6-303. Determination of compensation. (1) (a) In determining the value of the improvements described in 77-6-302, consideration must be given to their original cost, their present condition, their suitability for the uses ordinarily made of the land on which they are located, and to the general state of cultivation of the land, its productive capacity as affected by former use, and its condition with reference to the infestation of noxious weeds. Consideration must be given to all actual improvements and to all known effects that the use and occupancy of the land have had upon its productive capacity and desirability for the new lessee.

(2)(b) However, if any of the improvements consist of the original plowing of the land and 1 year's crops have been raised on the land after the plowing, the compensation for the improvement may not exceed \$2.50 per acre, and if two or more crops have been raised on the land after the original plowing, the original plowing may not be considered as an improvement to the land.

(2) In determining the value and disposition of cabin site improvements described in 77-1-208:

(a) an owner of cabin site improvements on an unleased cabin site lot shall submit to the department a market value appraisal on the improvements from a Montana licensed and certified general appraiser:

(i) within 6 months of [the effective date of this act] for all improvements on unleased cabin site lots on [the effective date of this act]; or

(ii) after [the effective date of this act], within 6 months of the cancellation of a lease;

(b) if an appraisal is not submitted pursuant to subsection (2)(a) or if the appraisal is not updated annually by the owner of the cabin site improvements, the owner shall authorize the department to contract for an appraisal, agree to allow access to the improvements, and pay a fee to the department for the cost of the appraisal;

(c) the department shall review appraisals for compliance with the Uniform Standards of Professional Appraisal Practice;

(d) an owner of cabin site improvements shall accept the appraised market value but may not inhibit the re-leasing or sale of the lot;

(e) ownership of the cabin site improvements remains with the owner of record provided that payment of property taxes is current. If property taxes on the improvements are in arrears, the owner of record shall remove the improvements or transfer ownership to the state.

(f) if ownership of the improvements transfers to the state, the board shall set conditions of the sale of transferred improvements in order to sell the improvements in an expedient manner and distribute the proceeds to the owner of record; and

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(g) if the owner of record cannot be located, the state may initiate proceedings to assume ownership of the improvements, sell the improvements, and retain the proceeds.

(3) For purposes of this section, "cabin site improvements" includes but is not limited to:

(a) a home or residence;

(b) outbuildings and structures;

(c) sleeping cabins;

(d) utilities;

(e) water systems;

(f) septic systems;

(g) docks; and

(h) landscaping."

And, as amended, do pass. Report adopted.

SB 154, be concurred in. Report adopted.

SB 332, be concurred in. Report adopted.

SB 345, be concurred in. Report adopted.

SB 364, be concurred in. Report adopted.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Knudsen in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 56 - Representative Vance moved consideration of **SB 56** be passed for the day. Motion Carried.

SB 136 - Representative Vance moved consideration of **SB 136** be passed for the day. Motion Carried.

HB 50 - Senate Amendments - Representative Howard moved Senate amendments to **HB 50** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, MacDonald, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson,

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Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 71

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Eck, Gursky, Hill, Jacobson, Lieser, Lynch, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Whitford, Wilmer, Wilson, Woods.
Total 29

Voted Absentee: Coffin, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 302 - Senate Amendments - Representative Kerns moved Senate amendments to **HB 302** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 65

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.
Total 35

Voted Absentee: Coffin, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 24 - Representative Fitzpatrick moved **SB 24** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr.

Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: Coffin, Squires, No.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

SB 26 - Representative Steenberg moved **SB 26** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Cuffe, Glimm, Harris.

Total 3

Voted Absentee: Coffin, Squires, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 67 - Representative Ingraham moved **SB 67** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Coffin, Squires, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 76 - Representative Lieser moved **SB 76** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Voted Absentee: Coffin, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 103 - Representative Curtis moved **SB 103** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Coffin, Squires, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 105 - Representative McNiven moved **SB 105** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw,

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B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: Coffin, Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 148 - Representative C. Smith moved **SB 148** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 42

Voted Absentee: Coffin, Squires, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 181 - Representative C. Smith moved **SB 181** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Coffin, Squires, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Boland, Curtis, Eck, Jacobson, Lang, MacDonald, McCarthy, McClafferty, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Wilson, Woods.

Total 16

Voted Absentee: None.

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Excused: Coffin, Squires.

Total 2

Absent or not voting: Hagstrom.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 10:00 a.m., Wednesday, March 20, 2013. Motion carried.

House adjourned at 2:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTIETH LEGISLATIVE DAY**

Helena, Montana
March 20, 2013

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative McNiven. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives McNally excused. Quorum present.

BILLS (O'Hara, Chair):

3/20/2013

Correctly printed: **HB 10, HB 521, HB 546, HB 582, HB 611, HB 612, HB 613, HB 614, HB 615, HJR 16, SB 116, SB 125, SB 128, SB 134, SB 137, SB 154, SB 176, SB 185, SB 194, SB 224, SB 230, SB 251, SB 259, SB 270, SB 275, SB 293, SB 312, SB 332, SB 372.**

Correctly engrossed: **HB 535, HB 565, SB 138, SB 172, SB 314, SB 323, SB 327.**

Correctly enrolled: **HB 50, HB 140, HB 163, HB 302, HB 325, HB 360, HJR 11.**

Examined by the sponsor and found to be correct: **HB 245, HB 368, HB 371, HB 422, HJR 2.**

Transmitted to the Senate: **HB 2, HJR 17, SB 33, SB 57, SB 63, SB 70, SB 99, SB 132, SB 249, SB 267, SB 326.**

Signed by the President at 9:30 a.m., March 20, 2013: **HB 273, HB 330, HB 333, HB 347, HB 351, HB 367, HB 399.**

Delivered to the Governor for approval at 10:23 a.m., March 20, 2013: **HB 273, HB 330, HB 333, HB 347, HB 351, HB 367, HB 399.**

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/19/2013

HB 245, introduced by Edmunds

HB 368, introduced by Clark

HB 371, introduced by Ingraham

HB 422, introduced by Blyton

House joint resolution concurred in and returned to the House:

3/19/2013

HJR 2, introduced by Hollenbaugh

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/19/2013

HB 469, introduced by Fitzpatrick

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Senate bills passed and transmitted to the House for concurrence: 3/19/2013

SB 226, introduced by F. Moore

SB 348, introduced by Thomas

Senate joint resolution passed and transmitted to the House for concurrence: 3/19/2013

SJR 14, introduced by Olson

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 521, introduced by G. Bennett, Blasdel, Blyton, Greef, Halvorson, Hansen, Howard, Knudsen, Laszloffy, Lenz, Regier, C. Smith, Vance, referred to Judiciary.

HB 611, introduced by McChesney, Jacobson, referred to Taxation.

HB 612, introduced by McCarthy, referred to Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

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Absent or not voting: Zolnikov.

Total 1

HB 50 passed as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Ballance, Zolnikov.

Total 2

HB 302 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: None.

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Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 24 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 34

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 26 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

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Nays: Cuffe, Glimm.

Total 2

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 67 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 76 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner,

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Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: O'Hara, Zolnikov.

Total 2

SB 103 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 105 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom,

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Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

SB 148 concurred in as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 55

Nays: Ankney, Bangerter, B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

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SB 181 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Boss Ribs, McNally.

Total 2

Absent or not voting: Zolnikov.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative B. Bennett in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 223 - Majority Leader Vance moved consideration of **HB 223** be passed for the day. Motion Carried.

HB 239 - Majority Leader Vance moved consideration of **HB 239** be passed for the day. Motion Carried.

HB 469 - Senate Amendments - Representative Fitzpatrick moved Senate amendments to **HB 469** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 137 - Representative Regier moved **SB 137** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 172 - Representative Ingraham moved **SB 172** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Boss Ribs, McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 176 - Representative Bangerter moved **SB 176** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 95

Nays: Kerns, Miller, Vance, Warburton, Zolnikov.
Total 5

Voted Absentee: Boss Ribs, McNally, Aye; Zolnikov, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 185 - Representative Brockie moved **SB 185** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Berry, Brodehl, Flynn, Glimm, Regier.

Total 5

Voted Absentee: Boss Ribs, McNally, Zolnikov, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 224 - Representative Wilmer moved **SB 224** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: Boss Ribs, McNally, Zolnikov, Aye.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 230 - Representative Hertz moved **SB 230** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: McNally, Zolnikov, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 259 - Representative Laszloffy moved **SB 259** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 312 - Representative Hollenbaugh moved **SB 312** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Schwaderer, White.
Total 2

Voted Absentee: McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 327 - Representative Lang moved **SB 327** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: McNally, Zolnikov, Aye.

Excused: None.
Total 0

Absent or not voting: Vance.
Total 1

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair B. Bennett moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

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Excused: McNally, Zolnikov.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 56** be moved from the Committee of the Whole to the Taxation committee.

Representative Jacobson moved to change his vote on **SB 105** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House recess until 1:00 p.m. Motion carried.

House Recessed.

House Reconvened.

Roll Call. All members present, except Representatives McNally and Pease-Lopez, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

3/20/2013

HB 565, introduced bill, be amended as follows:

1. Page 1, line 27 through line 28.

Strike: "that" on line 27 through "devices" on line 28

2. Page 1, line 30.

Strike: "novel" through "devices"

Insert: "breakthrough products and technologies to combat diseases, produce biofuels, advance biological and medical research, or improve public health"

3. Page 2, line 5.

Strike: "biomedical"

Insert: "bioscience"

4. Page 2, line 12.

Following: "a"

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Insert: "voluntary five-member"

5. Page 2, line 15.

Strike: "at least 50% of"

6. Page 2, line 16.

Following: "offices"

Insert: ", grant and sponsored program offices,"

7. Page 2, line 19.

Strike: "\$25,000 to \$50,000"

Insert: "up to \$35,000"

8. Page 2, line 22.

Following: "offices"

Strike: "at research institutions"

Insert: ", grant and sponsored program offices,"

9. Page 2, line 30.

Following: "funding"

Insert: "; and

(v) evidence of a demonstrated effort to secure follow-on funding from nonstate sources, such as federal small business innovation research phase 1 awards, venture capital, or angel investment"

10. Page 3, line 1 through line 6.

Strike: subsection (4) in its entirety

Renumber: subsequent sections

11. Page 3, line 15.

Strike: "\$1 million"

Insert: "\$350,000"

And, as amended, do pass. Report adopted.

HB 582, do pass. Report adopted.

SB 128, be concurred in. Report adopted.

SB 323, be amended as follows:

1. Title, line 6.

Strike: "A DELAYED"

Insert: "AN"

2. Page 1, line 14 through line 15.

Strike: "ONGOING" through "PHYSICIAN."

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3. Page 1, line 29.

Strike: "TREATING PHYSICIAN"

Insert: "health care provider"

4. Page 2, line 10.

Strike: "January 1, 2014"

Insert: "July 1, 2013"

And, as amended, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/20/2013

SB 134, be concurred in. Report adopted.

SB 194, be concurred in. Report adopted.

SB 251, be concurred in. Report adopted.

SB 372, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 613, introduced by Price, Dudik, Hollenbaugh, MacDonald, D. Moore, Pomnichowski, referred to Judiciary.

HB 614, introduced by Berry, Reichner, referred to Business and Labor.

HB 615, introduced by MacDonald, Cook, Driscoll, O'Hara, Tutvedt, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 84, introduced by Kaufmann (by request of the State Auditor), referred to Human Services.

SB 237, introduced by Brenden, Arthun, Debby Barrett, Blasdel, Boulanger, Doane, Keane, Knudsen, Lang, Lewis, F. Moore, Olson, Regier, Ripley, Rosendale, Sales, C. Smith, Sonju, Taylor, Thomas, Vincent, Walker, Webb, White, referred to Natural Resources.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 14, introduced by Olson, Wittich, referred to Local Government.

SJR 20, introduced by Webb, Caferro, referred to Human Services.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gursky in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 10 - Representative Pomnichowski moved **HB 10** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, Doane, Fitzpatrick, Flynn, Galt, Greef, Halvorson, Harris, Howard, Jones, Kerns, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Washburn, White, Zolnikov.

Total 22

Voted Absentee: McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: Connell.

Total 1

HB 224 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 224** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Voted Absentee: McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 535 - Representative G. Bennett moved **HB 535** do pass.

HB 535 - Representative G. Bennett moved **HB 535**, second reading copy, be amended as follows:

1. Page 3, line 30 through page 4, line 1.

Strike: subsection (2)(d) in its entirety

Insert: "(d) an owner of cabin site improvements shall accept an offer that meets or exceeds the appraised market value and may accept a reasonable offer below the appraised market value, but may not inhibit the re-leasing or sale of the lot;"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: O'Neil.

Total 1

Voted Absentee: McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 535 - Representative G. Bennett moved **HB 535**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 65

Nays: Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Hollenbaugh, Hunter, Lang, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 35

Voted Absentee: McNally, Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 546 - Representative Hollandsworth moved **HB 546** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns.

Total 1

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

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Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

HJR 16 - Representative Eck moved **HJR 16** be adopted. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

Nays: Ankney, Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Galt, Glimm, Hagstrom, Howard, Jones, Kary, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Washburn, Welborn.

Total 25

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 116 - Representative Randall moved **SB 116** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: B. Bennett.

Total 1

SB 125 - Representative Kary moved **SB 125** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Halvorson, Aye; McNally, Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 138 - Representative Knudsen moved **SB 138** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: Halvorson, Aye; McNally, Pease-Lopez, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 154 - Representative Lieser moved **SB 154** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 270 - Representative Noonan moved **SB 270** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen,

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Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: Ballance, J. Bennett, Doane, Fiscus, Jones, Kerns, Miller, O'Neil, Schwaderer, Zolnikov.
Total 10

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 275 - Representative Clark moved **SB 275** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 99

Nays: Zolnikov.
Total 1

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 293 - Representative D. Moore moved **SB 293** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Fiscus, Miller, Schwaderer, Zolnikov.

Total 4

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 314 - Representative Calf Boss Ribs moved **SB 314** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Ingraham, Lang, McClafferty, Osmundson, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 11

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

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Excused: None.

Total 0

Absent or not voting: Salomon.

Total 1

SB 332 - Representative Connell moved **SB 332** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Bennett, Court, Hill, Kerns, Lieser, Pomnichowski, Williams, Wilson, Woods.

Total 9

Voted Absentee: Halvorson, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Gursky moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

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Nays: B. Bennett, MacDonald, Redfield.

Total 3

Voted Absentee: None.

Excused: Halvorson, McNally, Pease-Lopez.

Total 3

Absent or not voting: Court.

Total 1

MOTIONS

Majority Leader Vance moved **SB 138** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 154** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 275** be moved from the Committee of the Whole to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, March 21, 2013. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-FIRST LEGISLATIVE DAY**

Helena, Montana
March 21, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Ballance. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Ankney, Calf Boss Ribs, McNally, and Pease-Lopez, excused. Quorum present.

BILLS (O'Hara, Chair):

3/21/2013

Correctly printed: **HB 338, HB 377, HB 454, HB 489, HB 616, SB 19, SB 48, SB 258, SB 292.**

Correctly engrossed: **HB 76, HB 218, SB 11, SB 18, SB 69, SB 122, SB 217, SB 242, SB 346.**

Correctly enrolled: **HB 110, HB 224, HB 225, HB 226, HB 232, HB 278, HB 280, HB 469.**

Examined by the sponsor and found to be correct: **HB 50, HB 140, HB 163, HB 224, HB 302, HB 325, HB 360, HB 469, HJR 11.**

Transmitted to the Senate: **SB 24, SB 26, SB 67, SB 76, SB 103, SB 105, SB 148, SB 181.**

Signed by the Speaker at 2:25 p.m., March 21, 2013: **HB 245, HB 368, HB 371, HB 422, HJR 2.**

Signed by the Chief Clerk of the House at 2:53 p.m., March 21, 2013: **HB 245, HB 368, HB 371, HB 422, HJR 2.**

Signed by the Speaker at 8:05 a.m., March 22, 2013: **HB 140, HB 163, HB 325, HB 360, HJR 11.**

Signed by the Chief Clerk of the House at 10:24 a.m., March 22, 2013: **HB 140, HB 163, HB 325, HB 360, HJR 11.**

Signed by the President at 4:18 p.m., March 21, 2013: **HB 245, HB 368, HB 371, HB 422, HJR 2.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/20/2013

HB 218, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "INFRASTRUCTURE"

Insert: "AND OTHER"

2. Title, page 1, line 9 through line 10.

Strike: "TRANSFERRING" on line 9 through "ACCOUNT;" on line 10

3. Page 2, line 4.

Strike: "or"

4. Page 2, line 5.

Following: "services"

Insert: "; or

(h) public health, public welfare, and social issues related to an increase in development

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of oil and natural gas, including educational or counseling programs related to sex trafficking and criminal solicitation issues, especially concerning youth; or

(i) law enforcement personnel for the department of justice

5. Page 2, line 10.

Following: "governments

Insert: ", school districts, and nonprofit organizations"

6. Page 2, line 16.

Strike: "to the local government"

7. Page 3, line 8.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

8. Page 3, line 13.

Following: "[sections 1 through 9]." on line 13

Insert: "In each year, up to \$50,000 may be used for grants for public health, public welfare, and social issues as described in [section 3(3)(h)]."

9. Page 5, line 26 through page 6, line 5.

Strike: section 12 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 489, do pass. Report adopted.

HUMAN SERVICES (Howard, Chair):

3/20/2013

HB 76, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Strike: "PROVIDING AN APPROPRIATION;"

Following: "MCA;"

Insert: "PROVIDING FOR CONTINGENT VOIDNESS;"

2. Title, page 1, line 9.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

3. Page 1, line 14.

Following: "ombudsman"

Insert: "within the department of justice provided for in 2-15-2001"

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4. Page 1, line 16 through line 17.

Strike: subsection (3) in its entirety

5. Page 1, line 25.

Strike: "governor," through "senate,"

Insert: "attorney general"

6. Page 2, line 5.

Strike: "governor"

Insert: "attorney general"

7. Page 2, line 6.

Strike: "governor"

Insert: "attorney general"

8. Page 2, line 11.

Strike: "The"

Insert: "Subject to available funding, the"

Strike: "ombudsman may select, and the"

9. Page 2, line 12.

Strike: "as provided in 2-15-121,"

10. Page 3, line 10.

Following: "governor"

Insert: ", the attorney general,"

11. Page 6, line 20.

Following: "ombudsman"

Insert: "provided for in [section 1]"

12. Page 7, line 10 through line 12.

Strike: section 10 in its entirety

Renumber: subsequent sections

13. Page 7, line 15.

Following: "part of"

Strike: "Title 52, chapter 2"

Insert: "Title 41"

Following: "provisions of"

Strike: "Title 52, chapter 2,"

Insert: "Title 41"

14. Page 7, line 17.

Insert: "NEW SECTION. **Section 11. Contingent voidness.** If House Bill No. 2 does not

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appropriate money to the department of justice for the purposes of [sections 1 through 8], then [this act] is void."

15. Page 7, line 19.

Insert: "NEW SECTION. Section 13. Termination. [This act] terminates June 30, 2015."

And, as amended, do pass. Report adopted.

SB 11, be amended as follows:

1. Page 1, line 27.

Following: "education,"

Insert: "medicine,"

Following: "sociology,"

Insert: "psychiatric nursing,"

2. Page 10, line 25.

Strike: "the standard" through "met through"

Insert: "the board may require as a condition of parole"

And, as amended, be concurred in. Report adopted.

SB 69, be amended as follows:

1. Page 1, line 12.

Following: "assistance"

Insert: "for certain services"

2. Page 1, line 14.

Strike: "under this part"

Insert: "for long-term care or home and community-based services"

3. Page 1, line 24.

Following: "recipient."

Insert: "Action under this subsection must be undertaken using available resources."

And, as amended, be concurred in. Report adopted.

SB 292, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

3/20/2013

SB 18, be amended as follows:

1. Page 2, line 16 through line 17.

Strike: "BUT THE DEPARTMENT" on line 16 through "STATEHOOD" on line 17

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2. Page 3, line 2.

Strike: " "

Following: "÷"

Insert: "÷"

3. Page 3, line 3.

Following: "(a)"

Insert: "(a) "abandoned bed" means a riverbed, streambed, or lakebed with no water over it at the low-water mark;

(b)"

4. Page 3, line 4.

Strike: "as defined in 77-1-102"

5. Page 3, line 10.

Strike: ", abandoned riverbeds,"

6. Page 3, line 24 through line 27.

Strike: subsection (4) in its entirety

And, as amended, be concurred in. Report adopted.

SB 19, be concurred in. Report adopted.

SB 48, be concurred in. Report adopted.

SB 217, be amended as follows:

1. Page 2, line 5.

Strike: ", especially"

Insert: "and restore"

2. Page 3, line 13.

Following: "(c) a"

Insert: "catastrophic"

And, as amended, be concurred in. Report adopted.

SB 346, be amended as follows:

1. Page 5, line 22.

Strike: "this limitation"

Insert: "10 acre-feet, regardless of the flow rate,"

And, as amended, be concurred in. Report adopted.

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STATE ADMINISTRATION (Ingraham, Chair):
SB 122, be amended as follows:

3/21/2013

1. Page 1, line 22.

Following: "determines that a"

Insert: "municipal"

Following: "election"

Insert: "held pursuant to 13-1-107(2)"

2. Page 1, line 26.

Following: "(2)(a)"

Insert: "or (2)(b)"

And, as amended, be concurred in. Report adopted.

SB 242, be amended as follows:

1. Title, page 1, line 7.

Following: "KILLED"

Insert: "OR CLASSIFIED AS MISSING IN ACTION"

Following: "COMBAT"

Insert: "OR MILITARY OPERATIONS"

2. Page 2, line 3.

Following: "on or after"

Strike: "the"

3. Page 2, line 3 through line 4.

Strike: "DECLARATION" on line 3 through "ON" on line 4

Strike: "8" on line 4

Insert: "7"

4. Page 2, line 26.

Strike: "and"

Following: "Guard"

Insert: " , and the Merchant Marine"

And, as amended, be concurred in. Report adopted.

SB 258, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/20/2013

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HB 140, introduced by Berry
HB 163, introduced by Flynn
HB 325, introduced by Regier
HB 360, introduced by White

House joint resolution concurred in and returned to the House: 3/20/2013

HJR 11, introduced by Regier

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/20/2013

HB 22, introduced by Dudik
HB 65, introduced by Pomnichowski

House bills not concurred in and returned to the House: 3/20/2013

HB 26, introduced by Washburn
HB 251, introduced by Ingraham
HB 296, introduced by Ingraham

MESSAGES FROM THE GOVERNOR

March 20, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 82** sponsored by Representative Reichner, **House Bill 212** sponsored by Representative Knudsen, **House Bill 252** sponsored by Representative Ingraham, **House Bill 317** sponsored by Representative Hunter, **House Bill 318** sponsored by Representative Mehlhoff, and **House Bill 389** sponsored by Representative Mehlhoff on March 20, 2013.

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 616, introduced by Hagan, referred to Business and Labor.

The following Senate bills were introduced, read first time, and referred to committees:

SB 226, introduced by F. Moore, referred to Agriculture.

SB 348, introduced by Thomas, referred to Education.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 10 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 74

Nays: J. Bennett, Brodehl, Doane, Fitzpatrick, Flynn, Galt, Hagstrom, Halvorson, Harris, Howard, Jones, Kerns, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, White.

Total 22

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

HB 224 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick,

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Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

HB 469 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

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HB 535 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 67

Nays: Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lynch, MacDonald, McCarthy, McClafferty, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

HB 546 passed as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Brodehl, Kerns, O'Neil.

Total 3

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

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Absent or not voting: None.

Total 0

HJR 16 adopted as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Gibson, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagstrom, Hoven, Howard, Jones, Kary, Kerns, Knudsen, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Zolnikov.

Total 26

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 116 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 125 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Neill, Noonan, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 137 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Bennett, Gursky, Whitford, Wilson.

Total 4

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Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: O'Hara.

Total 1

SB 172 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 176 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

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Nays: Doane, Halvorson, Kerns, Miller, Schwaderer, C. Smith, Vance, Warburton.

Total 8

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 185 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Brodehl, Flynn, Glimm, Regier.

Total 4

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 224 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner,

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Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

SB 230 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: None.
Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.
Total 4

Absent or not voting: None.
Total 0

SB 259 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz,

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Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: O'Neil.

Total 1

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 270 concurred in as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: Ballance, J. Bennett, Doane, Kerns, Miller, O'Neil, Schwaderer, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

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SB 293 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 312 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Schwaderer, White.

Total 2

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

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Absent or not voting: None.

Total 0

SB 314 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Brodehl, Cuffe, Fiscus, Harris, Hertz, Ingraham, Kerns, Lang, Osmundson, Redfield, Schwaderer, C. Smith, Warburton, Zolnikov.

Total 15

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 327 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

SB 332 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Court, Dudik, Eck, Gursky, Hill, Lieser, MacDonald, McClafferty, Neill, Pomnichowski, Swanson, Williams, Wilson, Woods.

Total 15

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved the Republicans would Caucus until 1:40 p.m. Motion carried.

Minority Leader Hunter said the Democrats would also Caucus.

House in Recess.

House Reconvened.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Schwaderer in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 338 - Representative Regier moved **HB 338** do pass.

HB 338 - Representative Brodehl moved for cloture. Motion Carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Boland, Brockie, Gursky, Jacobson, Kary, Peppers, B. Smith, Swanson.

Total 8

Voted Absentee: None

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: None.

Total 0

HB 338 - Representative Regier moved **HB 338** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lynch, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

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Voted Absentee: Ankney, Aye; Boss Ribs, McNally, Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 377 - Representative Woods moved **HB 377** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, O'Neil, Randall, Regier, Schwaderer, C. Smith, Vance, Warburton, White.

Total 33

Voted Absentee: Ankney, Boss Ribs, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 454 - Representative McChesney moved **HB 454** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 64

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Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, White.

Total 36

Voted Absentee: Ankney, Boss Ribs, McNally, Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Schwaderer moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Howard, O'Neil, Regier.

Total 3

Voted Absentee: None.

Excused: Ankney, Boss Ribs, McNally, Pease-Lopez.

Total 4

Absent or not voting: Harris, Hoven, Schwaderer, Welborn.

Total 4

MOTIONS

Representative Eck moved to change her vote on **SB 293** from No to Yes. Without objection, so ordered.

Representative Dudik moved to change her vote on **SB 332** from Yes to No. Without objection,

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so ordered.

Representative Brockie moved to change her vote on **HJR 16** from Not Voting to Yes. Without objection, so ordered.

Representative Lieser moved to change his vote on **SB 137** from No to Yes. Without objection, so ordered.

Representative Edmunds moved to change his vote on **HB 338** from No to Yes. Without objection, so ordered.

Majority Leader Vance moved **HB 338** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 377** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 454** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 591** be moved from Business and Labor to the Appropriations committee.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Friday, March 22, 2013. Motion carried.

House adjourned at 3:35 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
SIXTY-SECOND LEGISLATIVE DAY**

Helena, Montana
March 22, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Warburton. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Brockie and Gursky, excused. Quorum present.

BILLS (O'Hara, Chair):

3/22/2013

Correctly printed: **HB 298, HB 509, HB 565, HB 575, HB 579, HB 582, HB 588, HB 609, HB 617, HB 618, HB 619, SB 45, SB 128, SB 197, SB 207, SB 209, SB 245, SB 344.**

Correctly engrossed: **HB 4, HB 5, HB 15, HB 574, HB 586, SB 134, SB 144.**

Examined by the sponsor and found to be correct: **HB 110, HB 225, HB 232, HB 278, HB 280, HB 226.**

Transmitted to the Senate: **HB 10, HB 535, HB 546, HJR 16, SB 116, SB 125, SB 137, SB 172, SB 176, SB 185, SB 224, SB 230, SB 259, SB 270, SB 293, SB 312, SB 314, SB 327, SB 332.**

Signed by the Speaker at 3:35 p.m., March 22, 2013: **HB 50, HB 110, HB 224, HB 232, HB 278, HB 280, HB 302, HB 469.**

Signed by the Chief Clerk of the House at 4:30 p.m., March 22, 2013: **HB 50, HB 110, HB 224, HB 232, HB 278, HB 280, HB 302, HB 469.**

Signed by the Speaker at 4:55 p.m., April 8, 2013: **HB 225.**

Signed by the Chief Clerk of the House at 4:56 p.m., April 8, 2013: **HB 225.**

Signed by the President at 4:29 p.m., March 22, 2013: **HB 140, HB 163, HB 325, HB 360, HJR 11.**

Delivered to the Governor for approval at 8:11 a.m., March 22, 2013: **HB 245, HB 368, HB 371, HB 422.**

Delivered to the Secretary of State at 8:52 a.m., March 22, 2013: **HJR 2.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

3/21/2013

HB 574, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "81-2-102,"

2. Page 1, line 15.

Strike: "[sections 1 through 4]"

Insert: "[sections 1 through 3]"

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3. Page 1, line 16.

Strike: "[sections 1 through 4]"

Insert: "[sections 1 through 3]"

4. Page 1, line 17.

Strike: "[sections 1 through 4]"

Insert: "[sections 1 through 3]"

5. Page 1, line 24 through line 25.

Strike: "(ii)" on line 24 through "rule;" on line 25

Renumber: subsequent subsection

6. Page 1, line 27.

Strike: "."

7. Page 1, line 28.

Strike: "(i)"

8. Page 1, line 28 through line 30.

Strike: "; and" on line 28 through "[section 2]" on line 30

9. Page 2, line 16 through line 30.

Strike: section 2 in its entirety

Renumber: subsequent sections

10. Page 3, line 11.

Following: "81-22-413"

Strike: "and"

Insert: ", "

Following: "81-22-415"

Insert: ", and this subsection (2)(a). The label must read: "Warning -- This product contains unpasteurized milk, also known as raw milk.""

11. Page 3, line 14.

Following: "container."

Insert: "The warning label established pursuant to subsection (2)(a) must be posted in a conspicuous place on the premises for which the small herd exemption is issued."

12. Page 3, line 23 through page 6, line 2.

Strike: section 5 in its entirety

Insert: "NEW SECTION. Section 4. Liability for consumption of raw milk or raw milk products. (1) A person who consumes raw milk or raw milk products assumes inherent risks in consuming milk or milk products that are not pasturized, whether those risks are known or unknown, and is legally responsible for all injury or death to the person and for all damage to the person's property that result from the inherent risks in the consumption of raw milk or milk products.

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(2) It is not the duty of the department to ensure that a person is free from the inherent risks associated with the consumption of raw milk or raw milk products that are not pasturized, including the consumption of raw milk or raw milk products produced from a small herd exempt from permitting pursuant to [section 1]."

13. Page 14, line 12.

Strike: "[section 3]"

Insert: "[section 2]"

14. Page 14, line 21.

Strike: "[section 3]"

Insert: "[section 2]"

And, as amended, do pass. Report adopted.

SB 144, be amended as follows:

1. Page 1, line 30.

Strike: "TRUST FUND"

Insert: "management special revenue fund"

2. Page 2, line 20.

Strike: ". IN ANY FISCAL YEAR"

Insert: as follows:"

(i) In fiscal year 2014"

3. Page 2, line 23.

Strike: "12%"

Insert: "16%"

4. Page 2, line 26.

Following: line 27

Insert: "(ii) In fiscal year 2015 and in each succeeding fiscal year, the funds used by the department for administering the program, including but not limited to personal services costs, operating costs, and other administrative and program costs attributable to the program, may not exceed 12% of the total amount expended through grants and contracts made under subsection (4). No additional administrative or other costs may be taken by the department on reverted funds used for future grant awards."

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Ankney, Chair):

3/21/2013

HB 4, introduced bill, be amended as follows:

1. Page 1, line 26.

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Following: line 25

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the Montana statewide drug court application is authorized to continue into state fiscal year 2015."

2. Page 2.

Following: line 30

Insert: "Division of Criminal Investigations

Tactical diversion squad task force	FY 2013	\$17,203
Federal		

Organized crime drug enforcement task forces reservation runners		
FY 2013	\$2,500	Federal

Organized crime drug enforcement task forces Little Big Horn		
FY 2013	\$1,500	Federal

Organized crime drug enforcement task forces weed be gone		
FY 2013	\$1,500	Federal"

3. Page 3, line 14.

Following: line 13

Insert: "Library Services and Technology Act state grants

FY 2013	\$809,397	Federal"
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4. Page 3, line 14.

Following: "system"

Insert: "and Library Services and Technology Act state grants"

5. Page 3, line 18.

Following: line 17

Insert: "State and national archival partnership project

FY 2013	\$13,260	Federal"
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6. Page 3, line 18.

Following: "Sky"

Insert: "and the state and national archival partnership project"

7. Page 3, line 28.

Following: line 27

Insert: "Cultural resource annotated bibliography system and the cultural resources information system database

FY 2013	\$5,000	Federal
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All remaining fiscal year 2013 federal budget amendment authority for the cultural resource annotated bibliography system and the cultural resources information system database is authorized to continue into state fiscal year 2014."

8. Page 4, line 3.

Following: line 2

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Insert: "Biological research, fisheries monitoring, and pallid sturgeon propagation FY 2013
\$850 Federal"

9. Page 4, line 18.

Following: "River,"

Insert: "the aquatic invasive species prevention, the Red Rock Lakes grayling study, the painted rocks reservoir operations and maintenance, the Blackfoot River recreation management partnership, "

10. Page 4, line 20.

Following: line 19

Insert: "Enforcement Division

State recreational boating safety grant program FY 2013
\$485,200 Federal

All remaining fiscal year 2013 federal budget amendment authority for the TIP-MONT program is authorized to continue into state fiscal year 2014."

11. Page 4, line 27.

Following: "Montana,"

Insert: "the bear conflict management in the Cabinet-Yaak region,"

Following: "grant,"

Insert: "the grizzly bear trend survey,"

12. Page 4, line 30.

Following: line 29

Insert: "State recreational boating safety grant program FY 2013 \$37,000 Federal"

13. Page 5, line 5 through line 8.

Strike: "All remaining fiscal" on page 5, line 5 through "fiscal year 2015." on line 8

14. Page 5, lines 9 and 10.

Strike: "a fish barrier" on line 9 through "trout," on line 10

15. Page 5, lines 11 and 12.

Strike: "the restoration of westslope cutthroat trout to Elkhorn Creek"

Insert: "the operation and maintenance of the Canyon Ferry wildlife management area"

16. Page 5, line 15.

Following: "project"

Insert: "and the great plains wind energy program"

17. Page 5, line 19.

Following: line 18

Insert: "Comprehensive wildlife conservation plan
FY 2013 \$30,900 Federal"

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18. Page 5, line 20.

Following: "assessments"

Insert: ", the comprehensive wildlife conservation plan, and the species and habitat monitoring work along the Montana-Idaho border"

19. Page 6, line 7.

Following: line 6

Insert: "Zortman/Landusky water treatment and reclamation
FY 2013 \$141,198 Federal"

20. Page 6, line 7.

Following: "monitoring"

Insert: "and the Zortman/Landusky water treatment and reclamation projects"

21. Page 6, line 11.

Following: line 10

Insert: "Fiscal year 2013 emergency relief funds FY 2013 \$29,706,769 Federal
Yellowstone international airport interchange development
FY 2013 \$8,976,224 Federal"

22. Page 6, line 13.

Following: line 12

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the Yellowstone international airport interchange development is authorized to continue into state fiscal year 2015."

23. Page 6, line 13.

Following: "for the"

Insert: "fiscal year 2013"

24. Page 6, line 18.

Following: line 17

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the north/west passage corridor is authorized to continue into state fiscal year 2015."

25. Page 7, lines 1 through 4.

Strike: "Department of Livestock" on line 1 through line 4 in its entirety

26. Page 7, line 12.

Strike: "and"

Following: "clean water state revolving fund"

Insert: ", the fiscal year 2011 safe drinking water state revolving fund, the fiscal year 2013 clean water state revolving fund, and the fiscal year 2013 safe drinking water capitalization grant"

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27. Page 7, line 15.

Following: line 14

Insert: "Public notice for Crow water rights preliminary

decree	FY 2013	\$21,800	Federal
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Community assistance program	FY 2013	\$16,000	Federal"
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28. Page 7, line 16.

Following: "County"

Insert: "and the public notice for Crow water rights preliminary decree"

29. Page 7, line 25.

Following: "forestry,"

Strike: "and"

30. Page 7, line 26.

Following: "education"

Insert: ", and noxious weed control at gravel pits"

31. Page 8, line 13.

Following: "education,"

Insert: "the Montana cooperative fire management and Stafford Act response agreement, the conservation reserve program, the fiscal year 2012 cohesive strategy consolidated payments grant,"

32. Page 8, line 17.

Following: line 16

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the community oriented policing services grant is authorized to continue into state fiscal year 2014."

33. Page 8, line 28.

Following: line 27

Insert: "Youth services

All remaining fiscal year 2013 federal budget amendment authority for the rural school achievement program is authorized to continue into federal fiscal year 2014."

34. Page 9, line 16.

Following: "for"

Insert: "the neighborhood stabilization program part I and"

35. Page 9, line 19.

Following: line 18

Insert: "Section 811 project rental assistance demonstration program	FY 2013
\$2,000,000	Federal"

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36. Page 9, line 21.

Following: line 20

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the project rental assistance demonstration program is authorized to continue into federal fiscal year 2015."

37. Page 9, line 28.

Following: line 27

Insert: "Emergency unemployment compensation FY 2013 \$279,829 Federal"

38. Page 10, line 6.

Following: line 5

Insert: "Hazardous materials transportation program FY 2013
\$172,532 Federal"

39. Page 10, line 9.

Following: "competitive grant"

Insert: ", "

Strike: "and"

Following: "the"

Insert: "2011 homeland security grant program, and the 2012"

40. Page 10, line 27.

Following: "program"

Insert: "and the Affordable Care Act maternal, infant, and early childhood home visiting program"

41. Page 10.

Following: line 30

Insert: "Health Resources Division
Adult medicaid quality grants FY 2013 \$500,000 Federal
All remaining fiscal year 2013 federal budget amendment authority for adult medicaid quality grants is authorized to continue into state fiscal year 2014."

42. Page 11, line 4.

Following: line 3

Insert: "All remaining fiscal year 2013 federal budget amendment authority for the Montana community choice partnership is authorized to continue into federal fiscal year 2015."

And, as amended, do pass. Report adopted.

HB 5, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "ACCOUNT;"

Insert: "PROVIDING RULEMAKING AUTHORITY;"

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2. Page 1, line 11.

Following: "through"

Strike: "10"

Insert: "11"

3. Page 1, line 15.

Following: "through"

Strike: "10"

Insert: "11"

4. Page 2, line 10.

Following: "funds."

Insert: "If a donation is received by the department of administration from the Montana capitol restoration foundation to install safety handrails in the capitol, then the amount of the donation is authorized and the appropriation of LRBP funds is reduced by a like amount."
"

5. Page 2, line 17 through line 18.

Strike: line 17 through line 18 in their entirety

6. Page 3, line 2.

Strike: "780,000" [other]

Insert: "780,000" [federal special]

7. Page 3, line 3.

Strike: "750,000" [state special]

Insert: "750,000" [federal special]

8. Page 3, line 4.

Strike: "15,000,000" [other]

Insert: "15,000,000" [federal special]

9. Page 3, line 5.

Following: line 4

Insert: "Improvements at the Montana Military Museum 150,000 [LRBP Fund] 150,000
[Total]"

10. Page 3, line 12.

Following: line 11

Insert: "MONTANA HISTORICAL SOCIETY
Construct Montana Heritage Center, Helena 23,000,000 [LRBP] 23,000,000 [Total]"

11. Page 3, line 15 through line 17.

Strike: subsection (3) in its entirety

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12. Page 4, line 5.

Following: line 4

Insert: "Grant to the City of Missoula for the Design and Construction of Lighted and Paved RUX Path (Restricted) 100,000 [State Special Revenue] 100,000 [Total]"

State special revenue consists of department of transportation highway nonrestricted revenue fund, number 02349.

Funds for this project are restricted to the use of the RUX project and are payable for reimbursements. The department shall report on the progress of this project to the 2015 long-range planning subcommittee. Any funds not required for the completion of this project must be reverted to the highway nonrestricted revenue fund upon completion of the project."

13. Page 4, line 13.

Strike: "\$9,000,000"

Insert: "\$3,000,000"

14. Page 4, line 20.

Strike: "11,000,000" in both places

Insert: "5,000,000" in both places

15. Page 6, line 15.

Following: "agreements"

Strike: "."

Insert: ". When considering the acquisition of habitat in accordance with 87-1-241, the department of fish, wildlife, and parks shall give first consideration to term agreements, second consideration to perpetual conservation easements, and third consideration to fee title acquisitions."

16. Page 7, line 2.

Following: "appropriations."

Strike: "The"

Insert: "Except for the fish, wildlife, and parks grant to the city of Missoula, the"

17. Page 7, line 21.

Insert: "NEW SECTION. Section 9. Capital project grants to local governments -- appropriations. (1) Effective July 1, 2013, the following amounts are appropriated to the department of commerce from the general fund:

 (a) \$403,240 for a grant of up to \$403,240 to the city of Browning for construction of the Browning fire hall; and

 (b) \$2 million for a grant of up to \$2 million to the city of Kalispell for capital improvements to the kidsports complex.

 (2) Funds are restricted to use for the projects and are payable as reimbursements.

 (3) The department may adopt rules for the distribution of these funds.

 (4) The department shall report on the progress on the projects to the 2015 long-range planning subcommittee.

 (5) Any funds not required for the completion of these projects must revert to the general

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fund upon completion of the projects."

Renumber: subsequent sections

18. Page 8, line 2.

Strike: "by June 30,"

Insert: "in fiscal year"

19. Page 8, line 4.

Following: "through"

Strike: "9"

Insert: "10"

20. Page 8, line 5.

Following: "through"

Strike: "9"

Insert: "10"

And, as amended, do pass. Report adopted.

HB 15, introduced bill, be amended as follows:

1. Title, page 1, line 10.

Following: "FUNDS;"

Insert: "REVISING PRIORITIZATION OF DISTRIBUTIONS MADE FROM THE SCHOOL FACILITY AND TECHNOLOGY ACCOUNT; ALLOWING FOR CERTAIN ADMINISTRATIVE COSTS TO BE PAID FROM THE ACCOUNT;"

2. Title, page 1, line 11.

Following: "GRANTS;"

Insert: "ESTABLISHING A PREFERENCE FOR CERTAIN PROJECTS; TRANSFERRING FUNDS FROM THE ORPHAN SHARE ACCOUNT; AMENDING SECTIONS 20-9-343, 20-9-516, 20-9-620, 90-6-802, AND 90-6-811, MCA;"

3. Page 1, line 16.

Following: line 15

Insert: "**Section 1.** Section 20-9-343, MCA, is amended to read:

"20-9-343. Definition of and revenue for state equalization aid. (1) As used in this title, the term "state equalization aid" means revenue as required in this section for:

(a) distribution to the public schools for guaranteed tax base aid, BASE aid, and state reimbursement for school facilities; and

(b) negotiated payments authorized under 20-7-420(3) up to \$500,000 a biennium.

(2) The superintendent of public instruction may spend throughout the biennium funds appropriated for the purposes of guaranteed tax base aid, BASE aid for the BASE funding program, state reimbursement for school facilities, and negotiated payments authorized under 20-7-420(3).

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(3) The following money must be paid into the guarantee account provided for in 20-9-622 for the public schools of the state as indicated:

(a) subject to ~~20-9-516(2)(a)~~ 20-9-516(3)(a), interest and income money described in 20-9-341 and 20-9-342; and

(b) investment income earned by investing interest and income money described in 20-9-341 and 20-9-342.""

Insert: "Section 2. Section 20-9-516, MCA, is amended to read:

"20-9-516. School facility and technology account. (1) There is a school facility and technology account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide money to schools. After the distribution pursuant to 20-9-534 is made, the remainder of the account must be used for:

- ~~(a) major deferred maintenance;~~
- ~~(b) improving energy efficiency in school facilities;~~
- ~~(c) critical infrastructure in school districts;~~
- ~~(d) emergency facility needs;~~
- ~~(e) technological improvements; and~~
- ~~(f) state reimbursement for school facilities as provided in 20-9-371.~~

(2) If funds remain in the account after the distribution in subsection (1) is made, the budget director shall certify the amount of unencumbered funds available in the account. These available funds must be used for grants made by the department of commerce under 90-6-802. Grants made pursuant to 90-6-802 must be for:

- (a) emergency facility needs;
- (b) critical infrastructure in school districts;
- (c) major deferred maintenance;
- (d) improving energy efficiency in school facilities; and
- (e) technological improvements.

~~(2)~~(3) There must be deposited in the account:

(a) an amount of money equal to the income attributable to the difference between the average sale value of 18 million board feet and the total income produced from the annual timber harvest on common school trust lands during the fiscal year;

(b) the mineral royalties transferred from the guarantee account as provided in 20-9-622; and

(c) the income received from certain lands and riverbeds as provided in 17-3-1003(5).""

Insert: "Section 3. Section 20-9-620, MCA, is amended to read:

"20-9-620. Definition. (1) As used in 20-9-621, 20-9-622, and this section, "distributable revenue" means, except for that portion of revenue described in ~~20-9-516(2)(a)~~ 20-9-516(3)(a) and 77-1-109, 95% of all revenue from the management of school trust lands and the permanent fund, including timber sale proceeds, lease fees, interest, dividends, and net realized capital gains.

(2) The term does not include mineral royalties or land sale proceeds that are deposited directly in the permanent fund or net unrealized capital gains that remain in the permanent fund until realized.""

Insert: "Section 4. Section 90-6-802, MCA, is amended to read:

"90-6-802. Purpose. (1) The purpose of this part is to establish a mechanism to distribute

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grants to public school districts for school facility and technology projects from the school facility and technology account established in 20-9-516. The account is to be used to assist schools in addressing major deferred maintenance, energy efficiency, critical infrastructure needs, emergency facility needs, and technological improvements and establishes an ongoing flow of state revenue into the account. Grants must be distributed for projects that:

~~(1)~~(a) enhance the quality of life and protect the health, safety, and welfare of Montana's public school students;

~~(2)~~(b) ensure the successful delivery of an educational system that meets the accreditation standards provided for in 20-7-111;

~~(3)~~(c) extend the life of Montana's existing public school facilities;

~~(4)~~(d) promote energy conservation and reduction;

~~(5)~~(e) integrate technology into Montana's education framework to support student educational needs for the 21st century; and

~~(6)~~(f) are fiscally responsible by considering both long-term and short-term needs of the public school district, the local community, and the state.

(2) The department may charge reasonable administrative costs for administering the grant program. Costs must be paid from the account established in 20-9-516."

Renumber: subsequent sections

4. Page 1, line 16.

Strike: "Appropriations"

Insert: "Appropriation"

5. Page 1, line 17.

Strike: "\$11,268,792"

Insert: "\$11,418,642"

6. Page 1, line 21.

Strike: "[section 3]"

Insert: "[section 7]"

7. Page 2.

Following: line 26

Insert: "30. Miles City ELE/Replace boiler and system \$149,850"

8. Page 2, line 30.

Strike: "[section 3]"

Insert: "[section 7]"

9. Page 3, line 4.

Strike: "[section 3]"

Insert: "[section 7]"

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10. Page 3, line 6.

Strike: "[section 3]"

Insert: "[section 7]"

11. Page 3, line 11.

Strike: "[section 1(3)]"

Insert: "[section 5(3)]"

Strike: "[sections 4 and 5]"

Insert: "[sections 8 and 9]"

12. Page 3, line 16.

Strike: "[section 1(3)]"

Insert: "[section 5(3)]"

13. Page 3, line 29.

Following: line 28

Insert: "**Section 10.** Section 90-6-811, MCA, is amended to read:

"90-6-811. Priorities for projects -- application of criteria -- consideration of project attributes -- adjustments for educationally relevant factors. (1) In preparing recommendations to the governor under 90-6-810, the department shall apply the following criteria to applications for school facility projects in the listed order of priority giving preference to school facility projects involving repairs to existing facilities over projects involving construction of new facilities:

(a) projects that solve urgent and serious public health or safety problems or that enable public school districts to meet state or federal health or safety standards;

(b) projects that ~~provide improvements necessary to bring school facilities up to current local, state, and federal codes and standards~~ address deferred maintenance by repairing or replacing existing building components that are inoperable or difficult to service or that lack minimum integrity;

(c) projects that enhance a public school district's ability to offer specific services related to the requirements of the accreditation standards provided for in 20-7-111;

(d) projects that provide long-term, cost-effective benefits through energy-efficient design;

(e) projects that incorporate long-term, cost-effective benefits to school facilities, including the technology needs of school facilities; and

(f) projects that enhance educational opportunities for students.

(2) In applying the criteria under subsection (1), the department shall consider, ~~without preference or priority,~~ the following attributes of a school facility project application:

(a) the need for financial assistance;

(b) the fiscal capacity of the public school district to meet the conditions established in 90-6-812;

(c) past efforts to ensure sound, effective, long-term planning and management of the school facility and attempts to address school facility needs with local resources;

(d) the ability to obtain funds from sources other than the funds provided under this part; and

(e) the importance of the project and support for the project from the community.

(3) Before making its recommendations to the governor, the department may make

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adjustments to its ranking of the projects based on the educationally relevant factors established in 20-9-309. Before making any adjustments, the department may consult with the office of public instruction concerning the educationally relevant factors.""

14. Page 3, line 29.

Following: line 28

Insert: "NEW SECTION. Section 11. Transfer of funds. By July 15, 2013, the state treasurer shall transfer the amount of \$149,850 from the orphan share state special revenue account to the school facility and technology state special revenue account."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 586, introduced bill, be amended as follows:

1. Title, page 1, line 12 through line 13.

Strike: "NATURAL" on line 12 through "THE" on line 13

2. Title, page 1, line 14.

Strike: "15-38-302,"

Insert: "15-1-122,"

3. Title, page 1, line 15.

Following: "DATES"

Insert: "AND A TERMINATION DATE"

4. Page 2, line 10.

Following: "80-7-1007."

Insert: "The department shall make every effort to ensure decontamination of the vessel or equipment as expeditiously as possible."

5. Page 2, line 16 through page 3, line 2.

Strike: section 2 in its entirety

Insert: "**Section 2.** Section 15-1-122, MCA, is amended to read:

"15-1-122. Fund transfers. (1) There is transferred from the state general fund to the adoption services account, provided for in 42-2-105, a base amount of \$59,209, and the amount of the transfer must be increased by 10% in each succeeding fiscal year.

(2) For each fiscal year, there is transferred from the state general fund to the accounts, entities, or recipients indicated the following amounts:

(a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5, 1.48% of the motor vehicle revenue deposited in the state general fund in each fiscal year. The amount of 9.48% of the allocation in each fiscal year must be used for the purpose of reimbursing the hired removal of abandoned vehicles. Any portion of the allocation not used for abandoned vehicle removal reimbursement must be used as provided in 75-10-532.

(b) to the noxious weed state special revenue account provided for in 80-7-816, 1.50% of

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the motor vehicle revenue deposited in the state general fund in each fiscal year;

(c) to the department of fish, wildlife, and parks:

(i) 0.46% of the motor vehicle revenue deposited in the state general fund, with the applicable percentage to be:

(A) used to:

(I) acquire and maintain pumpout equipment and other boat facilities, 4.8% in each fiscal year;

(II) administer and enforce the provisions of Title 23, chapter 2, part 5, 19.1% in each fiscal year;

(III) enforce the provisions of 23-2-804, 11.1% in each fiscal year; and

(IV) develop and implement a comprehensive program and to plan appropriate off-highway vehicle recreational use, 16.7% in each fiscal year; and

(B) deposited in the state special revenue fund established in 23-1-105 in an amount equal to 48.3% in each fiscal year;

(ii) 0.10% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 50% of the amount to be used for enforcing the purposes of 23-2-601, 23-2-602, 23-2-611, 23-2-614 through 23-2-618, 23-2-621, 23-2-622, 23-2-631 through 23-2-635, and 23-2-641 through 23-2-644 and 50% of the amount designated for use in the development, maintenance, and operation of snowmobile facilities; and

(iii) 0.16% of the motor vehicle revenue deposited in the state general fund in each fiscal year to be deposited in the motorboat account to be used as provided in 23-2-533;

(d) 0.64% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 24.55% to be deposited in the state veterans' cemetery account provided for in 10-2-603 and with 75.45% to be deposited in the veterans' services account provided for in 10-2-112(1);

(e) 0.30% of the motor vehicle revenue deposited in the state general fund in each fiscal year for deposit in the state special revenue fund to the credit of the senior citizens and persons with disabilities transportation services account provided for in 7-14-112; and

(f) to the search and rescue account provided for in 10-3-801, 0.04% of the motor vehicle revenue deposited in the state general fund in each fiscal year.

(3) The amount of \$200,000 is transferred from the state general fund to the livestock loss reduction and mitigation restricted state special revenue account provided for in 81-1-112 in each fiscal year.

(4) The amount of \$300,000 is transferred from the state general fund to the invasive species account provided for in 80-7-1004 at the beginning of each biennium.

~~(4)~~(5) For the purposes of this section, "motor vehicle revenue deposited in the state general fund" means revenue received from:

(a) fees for issuing a motor vehicle title paid pursuant to 61-3-203;

(b) fees, fees in lieu of taxes, and taxes for vehicles, vessels, and snowmobiles registered or reregistered pursuant to 61-3-321 and 61-3-562;

(c) GVW fees for vehicles registered for licensing pursuant to Title 61, chapter 3, part 3; and

(d) all money collected pursuant to 15-1-504(3).

~~(5)~~(6) The amounts transferred from the general fund to the designated recipient must be appropriated as state special revenue in the general appropriations act for the designated purposes.""

Renumber: subsequent sections

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6. Page 5, line 17 through line 19.

Strike: subsection (2) in its entirety

Insert: "(2) "Equipment" means an implement or machinery that has been wholly or partially immersed in surface waters, including but not limited to boat lifts, trailers transporting vessels, floating docks, pilings, dredge pipes, and buoys."

7. Page 6, line 4.

Strike: ", transferred pursuant to 15-38-302(4),"

8. Page 6, line 12 through line 13.

Strike: subsection (6) in its entirety

Renumber: subsequent subsections

9. Page 6, line 14 through line 15.

Strike: "An" on line 14 through "section" on line 15

Insert: "The money transferred in 15-1-122(4) to the account from the state general fund"

10. Page 6, line 15.

Following: "appropriated"

Insert: ", as provided in 17-7-502,"

11. Page 9, line 25.

Following: "80-7-1008(3)(b)."

Insert: "The department shall make every effort to ensure decontamination of the vessel or equipment as expeditiously as possible."

12. Page 10.

Following: line 28

Insert: "NEW SECTION. **Section 16. Termination.** [Sections 2, 3, and 6(6)] terminate June 30, 2019."

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

3/21/2013

HB 588, do pass. Report adopted.

HB 609, do pass. Report adopted.

SB 197, be concurred in. Report adopted.

SB 344, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

3/22/2013

SB 207, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

3/21/2013

SB 209, be concurred in. Report adopted.

SB 245, be concurred in. Report adopted.

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MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/21/2013

HB 110, introduced by Pease-Lopez

HB 225, introduced by C. Smith

HB 226, introduced by D. Jones

HB 232, introduced by Knudsen

HB 278, introduced by Washburn

HB 280, introduced by C. Smith

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/21/2013

HB 291, introduced by Kerns

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 617, introduced by Flynn, referred to Federal Relations, Energy, and Telecommunications.

HB 618, introduced by Jacobson, Hill, C. Smith, Warburton, referred to Taxation.

HB 619, introduced by Warburton, Arntzen, G. Bennett, Blasdel, Blyton, Brodehl, Edmunds, Ehli, Fitzpatrick, Galt, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Lang, Lavin, McNiven, O'Hara, Osmundson, Priest, Randall, Reichner, Schwaderer, Shaw, C. Smith, Thomas, Vuckovich, Walker, Windy Boy, referred to Judiciary.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 489 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 51

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White,

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Zolnikov, Mr. Speaker.
Total 46

Voted Absentee: None.

Excused: Brockie, Gursky.
Total 2

Absent or not voting: McNiven.
Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Lang in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 194 - Majority Leader Vance moved consideration of **SB 194** be passed for the day. Motion Carried.

HB 565 - Majority Leader Vance moved consideration of **HB 565** be placed at the top of the second reading board. Motion Carried.

HB 565 - Representative McCarthy moved **HB 565** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 60

Nays: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Hansen, Harris, Howard, Ingraham, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 40

Voted Absentee: Brockie, Cook, Gursky, Hollandsworth, McChesney, Aye; Ballance, Brodehl,

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Cuffe, Ehli, Gibson, Glimm, McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 298 - Representative Warburton moved **HB 298** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kerns.

Total 1

Voted Absentee: Ballance, Brockie, Brodehl, Cook, Cuffe, Ehli, Gibson, Glimm, Gursky, Hollandsworth, McChesney, McNiven, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 509 - Representative Regier moved **HB 509** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov,

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Mr. Speaker.

Total 90

Nays: Doane, Edmunds, Galt, Ingraham, Kerns, Miller, Randall, Redfield, Schwaderer, C. Smith.

Total 10

Voted Absentee: Ballance, Brockie, Brodehl, Cook, Cuffe, Ehli, Gibson, Glimm, Gursky, Hollandsworth, McChesney, McNiven, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 575 - Representative Berry moved **HB 575** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Kerns, Schwaderer.

Total 2

Voted Absentee: Ballance, Brockie, Brodehl, Cook, Cuffe, Ehli, Gibson, Glimm, Gursky, Hollandsworth, McChesney, McNiven, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 579 - Representative Hagan moved **HB 579** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Brodehl, Doane, Ehli, Flynn, Galt, Hansen, Harris, Jones, Kerns, Lavin, Lenz, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Wagoner, White, Williams, Zolnikov.

Total 22

Voted Absentee: Ballance, Brockie, Cook, Cuffe, Gibson, Glimm, Gursky, Hollandsworth, McChesney, McNiven, Aye; Brodehl, Ehli, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 582 - Representative Hertz moved **HB 582** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Moore, O'Hara, Osmundson, Pierson, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 52

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Doane, Dudik, Eck, Fiscus, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jones, Kary, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Regier, Schreiner, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Voted Absentee: Ballance, Cook, Cuffe, Ehli, Gibson, Glimm, Hollandsworth, McChesney, McNiven, Aye; Brockie, Brodehl, Gursky, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 45 - Representative Steenberg moved **SB 45** do pass.

SB 45 - Representative Steenberg moved **SB 45**, second reading copy, be amended as follows:

1. Page 3, line 1.

Strike: "December 31, 2010"

Insert: "[the effective date of this act]"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 39

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov, Mr. Speaker.
Total 56

Voted Absentee: Brockie, Gursky, Aye; Ballance, Cuffe, Ehli, Glimm, McNiven, No.

Excused: Brodehl, Cook, Gibson, Hollandsworth, McChesney.

Total 5

Absent or not voting: None.

Total 0

SB 45 - Representative Fitzpatrick moved **SB 45** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch,

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McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 70

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Cook, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 30

Voted Absentee: Ballance, Brodehl, Cuffe, Ehli, Gibson, Glimm, Hollandsworth, McChesney, McNiven, Aye; Brockie, Cook, Gursky, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 128 - Representative Hagan moved **SB 128** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 43

Voted Absentee: Ballance, Brodehl, Cook, Cuffe, Ehli, Glimm, Hollandsworth, McNiven, Aye; Brockie, Gibson, Gursky, McChesney, No.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

SB 134 - Representative B. Smith moved **SB 134** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, Brodehl, Doane, Glimm, Kary, Kerns, McNiven, Miller, O'Neil, Randall, Schwaderer, C. Smith, Vance, Zolnikov.

Total 14

Voted Absentee: Brockie, Cook, Cuffe, Ehli, Gibson, Gursky, Hollandsworth, McChesney, Aye; Ballance, Brodehl, Glimm, McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Lang moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 80

Nays: Osmundson.

Total 1

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Voted Absentee: None

Excused: Ballance, Brockie, Brodehl, Cook, Cuffe, Ehli, Gibson, Glimm, Gursky, Hollandsworth, McChesney, McNiven.

Total 12

Absent or not voting: Greef, Hagstrom, Mehlhoff, Washburn, Welborn, Wilson, Woods.

Total 7

MOTIONS

Majority Leader Vance moved **HB 509** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 565** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 575** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 579** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 582** be moved from the Committee of the Whole to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Calf Boss Ribs thanked the pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, March 23, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
SIXTY-THIRD LEGISLATIVE DAY**

Helena, Montana
March 23, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Wilson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Brockie, McNiven, and Swanson, excused. Quorum present.

BILLS (O'Hara, Chair):

3/23/2013

Correctly printed: **HB 76, HB 303, HB 580, HB 606, HB 607, HB 620, HB 621, HB 622, HB 623, HB 624, HB 625, HB 626, HB 627, HB 628, HB 629, SB 11, SB 18, SB 48, SB 122, SB 133, SB 182, SB 191, SB 203, SJR 13.**

Correctly engrossed: **HB 86, HB 135, HB 354, HB 377, HB 454, HB 576, HB 599, HB 604, SB 194.**

Correctly enrolled: **HB 72, HB 91, HB 105, HB 125, HB 247.**

Examined by the sponsor and found to be correct: **HB 489.**

Transmitted to the Senate: **HB 489.**

Signed by the President at 11:05 a.m., March 26, 2013: **HB 50, HB 110, HB 224, HB 232, HB 278, HB 280, HB 302, HB 469.**

Delivered to the Governor for approval at 8:20 a.m., March 23, 2013: **HB 140, HB 163, HB 325, HB 360.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/22/2013

HB 354, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Strike: "REQUIRING" through "ACCOUNT;"

2. Title, page 1, line 7.

Strike: "ONLY"

3. Title, page 1, line 11.

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 2, line 29.

Following: "transfers"

Insert: ", but money may not be transferred out of the account"

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5. Page 2, line 30.

Strike: "\$25"

Insert: "\$30"

6. Page 3, line 1.

Strike: "\$25"

Insert: "\$30"

7. Page 3, lines 2 through 4.

Strike: "Money" on line 2 through "legislature." on line 4

8. Page 3, line 6.

Following: "expenses for"

Insert: "suppression of fires, fuel reduction and mitigation, and forest restoration."

9. Page 3, line 8.

Strike: line 8

10. Page 3, line 9.

Following: line 8

Insert: "(5) Up to \$5 million each biennium may be used for the purposes of fuel reduction and mitigation and forest restoration."

Renumber: subsequent subsections

11. Page 3, lines 13 and 14.

Strike: subsection (7) in its entirety

12. Page 3, line 17.

Following: line 16

Insert: "NEW SECTION. Section 4. Termination. [This act] terminates June 30, 2019."

And, as amended, do pass. Report adopted.

HB 377, introduced bill, be amended as follows:

1. Page 13, line 7.

Strike: "AND"

2. Page 13, line 9.

Following: "YEARS"

Insert: "; and (iii) the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-20-719"

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And, as amended, do pass. Report adopted.

HB 454, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 13.

Strike: "PROVIDING" on line 6 through "FUND;" on line 13.

2. Title, page 1, line 15 through line 16.

Strike: "PROVIDING" on line 15 through "BIENNIUM;" on line 16

3. Title, page 1, line 17.

Strike: "15-35-108, 17-5-703,"

Insert: "17-7-502,"

4. Title, page 1, line 17 through line 18.

Strike: "AMENDING" on line 17 through "2011;" on line 18

Insert: "REPEALING SECTION 19-3-319, MCA;"

5. Page 2, line 25 through page 9, line 20.

Strike: section 1 through section 2 in their entirety

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; ~~19-3-319~~; 19-3-316; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into

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agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)"

Renumber: subsequent sections

6. Page 10, line 24.

Following: "rates"

Insert: "-- supplemental employer and general fund contributions -- statutory appropriation"

7. Page 10, line 24 through line 25.

Strike: "Except" on line 24 through "the" on line 25

Insert: "The"

8. Page 10, line 25.

Strike: "6.9%"

Insert: "6.8%"

9. Page 10, line 26.

Strike: "additional"

Insert: "supplemental employer"

Strike: "(3)"

Insert: "(2)"

10. Page 11, line 1 through line 16.

Strike: subsection (2) through (4) in their entirety

Insert: "(2) Subject to subsection (3), each employer and the general fund shall contribute to the system a supplemental contribution equal to a percentage of the compensation paid to all of the employer's employees, except those employees properly excluded from membership, as follows:

(a) on the compensation of state agency employees, including the university system:

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(i) beginning July 1, 2013, through June 30, 2015, 1.37% by the employer and 3.5% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 2.07% by the employer and 2.8% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 2.77% by the employer and 2.1% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 3.47% by the employer and 1.4% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 4.17% by the employer and 0.7% by the general fund; and

(vi) beginning July 1, 2019, 4.87% by the employer;

(b) on the compensation of local government employees:

(i) beginning July 1, 2013, through June 30, 2015, 1.27% by the employer and 3.6% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 1.47% by the employer and 3.4% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 1.67% by the employer and 3.2% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 1.87% by the employer and 3.0% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 2.07% by the employer and 2.8% by the general fund; and

(vi) beginning July 1, 2019, 2.27% by the employer and 2.6% by the general fund;

(c) on the compensation of school district employees:

(i) beginning July 1, 2013, through June 30, 2015, 1.0% by the employer and 3.87% by the general fund;

(ii) beginning July 1, 2015, through June 30, 2016, 1.2% by the employer and 3.67% by the general fund;

(iii) beginning July 1, 2016, through June 30, 2017, 1.4% by the employer and 3.47% by the general fund;

(iv) beginning July 1, 2017, through June 30, 2018, 1.6% by the employer and 3.27% by the general fund;

(v) beginning July 1, 2018, through June 30, 2019, 1.8% by the employer and 3.07% by the general fund; and

(vi) beginning July 1, 2019, 2.0% by the employer and 2.87% by the general fund.

(3) (a) When the system is 90% funded as of the latest actuarial valuation and the guaranteed annual benefit adjustment has been increased to the maximum allowed under 19-3-1605, the board shall decrease the contribution percentages provided in subsection (2) by a total percentage that will provide that the system is not less than 85% funded. Two-thirds of the total percentage decrease must be applied to the general fund contribution and one-third of the total percentage decrease must be applied to the employer contribution. If the general fund contribution is too low to be reduced by the two-thirds, the general fund contribution must be decreased to zero and the remainder of the total reduction must be applied to the employer contribution. If the general fund contribution is zero, the total percentage reduction must be applied entirely to the employer contribution.

(4) The general fund supplemental contributions under subsection (2) are statutorily

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appropriated, as provided in 17-7-502, on an annual basis from the general fund to the system's pension trust fund."

11. Page 13, line 25 through line 26.

Strike: "on" on line 25 through "order" on line 26

Insert: "the employer portion of the supplemental contribution provided for in 19-3-316(2) must be allocated as follows"

12. Page 13, line 27.

Following: "(i)"

Insert: "0.27% of compensation must be allocated"

13. Page 13, line 27.

Following: "liability"

Insert: "until it has been fully paid"

14. Page 13, line 28.

Following: "(ii)"

Insert: "when the plan choice rate unfunded actuarial liability has been fully paid, 0.27% must be allocated"

15. Page 13, line 29 through line 30.

Strike: "on" on line 29 through "compensation" on line 30

Insert: "the remainder of the employer supplemental contribution and the general fund supplemental contribution under 19-3-316(2)"

16. Page 14, line 5 through page 15, line 2.

Strike: section 7 through section 10 in their entirety

Insert: "NEW SECTION. Section 6. Repealer. The following section of the Montana Code Annotated is repealed:

19-3-319. State contributions for local government and school district employers."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 580, do pass. Report adopted.

HB 599, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Strike: "THE GENERAL FUND"

Insert: "A STATE SPECIAL REVENUE ACCOUNT"

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2. Page 1, line 13.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

3. Page 1, line 26.

Following: "commerce"

Insert: "and the transportation commission provided for in 2-15-2502"

4. Page 2, line 4.

Strike: "general fund"

Insert: "department of transportation highway nonrestricted state special revenue fund"

5. Page 2, line 5.

Insert: "NEW SECTION. Section 6. Contingent voidness. If the department of transportation does not designate the West Fork Road a state secondary highway by June 30, 2015, then [this act] is void."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 606, do pass. Report adopted.

EDUCATION (Hansen, Chair):

3/22/2013

HB 86, introduced bill, be amended as follows:

1. Page 1, line 21.

Strike: "Each"

Insert: "To be eligible for funding under this section, each"

2. Page 1, line 23.

Following: "reporting"

Insert: "by May 1, 2013"

And, as amended, do pass. Report adopted.

HB 135, introduced bill, be amended as follows:

1. Page 1, line 17.

Following: "schools"

Insert: "and such other educational institutions, public libraries, and educational programs as may support or improve the basic system"

2. Page 1, line 19.

Strike: "shall"

Insert: "may"

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3. Page 2, line 1.

Strike: "and"

Insert: "(c) a presiding officer appointed by agreement by the president of the senate and the speaker of the house; and"

Renumber: subsequent subsections

4. Page 2, line 6 through line 7.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

And, as amended, do pass. Report adopted.

HB 576, introduced bill, be amended as follows:

1. Page 2, line 17.

Strike: "has the meaning provided in 20-26-603"

Insert: "means a unit of the Montana university system, as defined in 20-25-201, or a Montana community college, defined and organized as provided in 20-15-101"

And, as amended, do pass. Report adopted.

SB 191, be concurred in. Report adopted.

SB 203, be concurred in. Report adopted.

SJR 13, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):

3/22/2013

HB 604, introduced bill, be amended as follows:

1. Page 2.

Following: line 5

Insert: "(b) The public members must be selected as follows:

(i) one representative of a hospital;

(ii) one primary care physician;

(iii) one health insurer with significant experience doing business in Montana;

(iv) one member of the executive branch, selected from a list of nominees submitted by the governor; and

(v) two members of the public with business or health policy experience."

Renumber: subsequent subsections

2. Page 2, line 8.

Strike: "April 27, 2013"

Insert: "May 30, 2013"

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3. Page 2, line 28.

Strike: "and"

4. Page 2, line 30.

Strike: "in order" through "status"

Insert: "; and

(d) opportunities for reducing or minimizing the shifting of payment for unreimbursed health care costs to patients with private insurance"

5. Page 3, line 27 through page 4, line 2.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

And, as amended, do pass and be placed on the consent calendar. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/22/2013

HB 607, do pass. Report adopted.

SB 182, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in:

3/22/2013

SB 189, introduced by Webb

House bills concurred in and returned to the House:

3/22/2013

HB 72, introduced by MacDonald

HB 91, introduced by Lynch

HB 105, introduced by Steenberg

HB 125, introduced by O'Hara

HB 247, introduced by Lavin

MESSAGES FROM THE GOVERNOR

March 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

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Please be informed that I have signed **House Bill 199** sponsored by Representative Noonan, **House Bill 261** sponsored by Representative Berry, and **House Bill 264** sponsored by Representative Ingraham on March 22, 2013.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 620, introduced by Lynch, Augare, B. Bennett, Blasdel, Blewett, Boland, Buttrey, Clark, Cook, Curtis, Eck, Hill, Jacobson, L. Jones, Keane, MacDonald, McClafferty, McNally, Olson, Schreiner, Schwaderer, Sesso, Shaw, B. Smith, Welborn, Wilson, referred to Taxation.

HB 621, introduced by Edmunds, referred to Appropriations.

HB 622, introduced by Bangerter, Thomas, referred to Human Services.

HB 623, introduced by Bangerter, referred to Human Services.

HB 624, introduced by Harris, referred to Taxation.

HB 625, introduced by Ankney, referred to Appropriations.

HB 626, introduced by Osmundson, referred to Appropriations.

HB 627, introduced by Osmundson, referred to Appropriations.

HB 628, introduced by Steenberg, Lavin, referred to Appropriations.

HB 629, introduced by Williams, Dick Barrett, Salomon, referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative D. Jones in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 22 - Senate Amendments - Representative Dudik moved Senate amendments to **HB 22** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven,

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Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Glimm, Harris, Howard, Kary, Kerns, O'Neil, Schwaderer, C. Smith, Warburton.

Total 14

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 65 - Senate Amendments - Representative Pomnichowski moved Senate amendments to **HB 65** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Randall, Redfield, Salomon, Schwaderer, C. Smith, Wagoner, Zolnikov.

Total 30

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 76 - Representative Pease-Lopez moved **HB 76** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: White.

Total 1

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 303 - Representative Kerns moved **HB 303** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 51

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Howard, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 - Senate Amendments - Representative G. Bennett moved Senate amendments to **HB 463** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Coffin, Kerns, Miller, Regier, Zolnikov.

Total 5

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: B. Bennett, Williams.

Total 2

SB 11 - Representative Curtis moved **SB 11** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

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Nays: J. Bennett, Brodehl, Doane, Fitzpatrick, Glimm, Hagstrom, Kerns, Regier, Zolnikov.
Total 9

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.
Total 0

Absent or not voting: Berry.
Total 1

SB 18 - Representative Connell moved **SB 18** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 78

Nays: B. Bennett, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Lynch, MacDonald, McClafferty, Neill, Noonan, Pease-Lopez, Pomnichowski, Swanson, Whitford, Williams, Wilson, Woods.
Total 21

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

Excused: None.
Total 0

Absent or not voting: Squires.
Total 1

SB 48 - Representative Doane moved **SB 48** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara,

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O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Jones.

Total 1

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: Berry, Cook.

Total 2

SB 122 - Representative B. Bennett moved **SB 122** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Fiscus, Flynn, Glimm, Halvorson, Hansen, Harris, Howard, Kary, Knudsen, Laszloffy, Lenz, Miller, Osmundson, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Zolnikov, Mr. Speaker.

Total 25

Voted Absentee: Brockie, McNiven, Swanson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 133 - Representative Wagoner moved **SB 133** do pass.

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SB 133 - Representative Wagoner moved **SB 133**, second reading copy, be amended as follows:

1. Title, page 1, line 7 through line 8.

Strike: "DELETING" through "WEAPON;"

2. Page 2, line 8.

Following: "THROUGH"

Insert: "(1)(f),"

3. Page 2, line 19.

Following: "~~weapon~~."

Insert: "It is not a defense that the person had a valid permit to carry a concealed weapon."

Amendment **not** adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 133 - Representative Wagoner moved **SB 133** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier,

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Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: McNiven, Aye; Brockie, Swanson, No.

Excused: None.

Total 0

Absent or not voting: Jacobson.

Total 1

SB 194 - Representative Gursky moved **SB 194** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Flynn, Galt, Gibson, Gursky, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Kerns, Knudsen, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 65

Nays: Ballance, Berry, Brodehl, Cuffe, Ehli, Fitzpatrick, Glimm, Greef, Hagan, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Kary, Lang, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Pierson, Redfield, Regier, Reichner, Salomon, C. Smith, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 35

Voted Absentee: Brockie, Swanson, Aye; McNiven, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair D. Jones moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, McChesney, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 79

Nays: B. Bennett, Boland, Cook, Court, Dudik, Eck, Fitzpatrick, Gursky, Jones, Lavin, MacDonald, McCarthy, McClafferty, Pomnichowski, Squires, Williams, Wilson, Woods.

Total 18

Voted Absentee: None.

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 298 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

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Nays: Court, Eck, Kerns, MacDonald, Pomnichowski.

Total 5

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Cuffe, Fiscus.

Total 2

SB 45 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Boss Ribs, Coffin, Cook, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: None.

Total 0

SB 128 concurred in as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

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Nays: Bangerter, B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Schwaderer.

Total 1

SB 134 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: Ballance, Berry, Brodehl, Doane, Glimm, Kerns, Miller, O'Neil, Randall, Redfield, Schwaderer, Vance, Zolnikov.

Total 13

Voted Absentee: None

Excused: Brockie, McNiven, Swanson.

Total 3

Absent or not voting: Hoven.

Total 1

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MOTIONS

Representative Williams moved to change her vote on **HB 303** from Not Voting to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 25, 2013. Motion carried.

House adjourned at 9:50 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
March 25, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Glimm. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

3/25/2013

Correctly printed: **HB 15, HB 423, HB 496, HB 571, HB 574, HB 576, HB 579, HB 588, HB 604, HB 609, HB 628, HB 630, HB 631, HB 632, HB 633, HB 634, HB 635, SB 81, SB 179.**

Correctly engrossed: **HB 13, HB 14, HB 86, HB 218, HB 378, HB 443, HB 565, HB 581.**

Correctly enrolled: **HB 22, HB 65, HB 168, HB 463, HJR 12.**

Examined by the sponsor and found to be correct: **HB 72, HB 91, HB 125, HB 168, HB 247, HJR 12.**

Transmitted to the Senate: **HB 298, SB 45, SB 128, SB 134.**

Signed by the Speaker at 11:58 a.m., March 25, 2013: **HB 226.**

Signed by the Chief Clerk of the House at 12:06 p.m., March 25, 2013: **HB 226.**

Signed by the Speaker at 4:20 p.m., March 25, 2013: **HB 91, HB 125, HB 168, HB 247, HJR 12.**

Signed by the Chief Clerk of the House at 7:39 a.m., March 26, 2013: **HB 91, HB 125, HB 168, HB 247, HJR 12.**

Signed by the President at 10:35 a.m., March 26, 2013: **HB 226.**

Delivered to the Secretary of State at 8:30 a.m., March 25, 2013: **HJR 11.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

3/25/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, March 23, 2013:

Karlee Alexander, Billings
Casey Kinyon, Galata
Soren Chargois, Great Falls
Caleb Chestnut, Bozeman
Azia Smith, Polson
Lily Wright, Belgrade
Raelynn Calf Boss Ribs, Heart Butte
Austin Running Crane, Valier

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and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, March 25, 2013:

Colten Kreamer, Jefferson City
Mary-Hannah McGuffey, Superior
Morgan McLean, Lavina
Michaela Bell, Helena
Kiernan Gallagher, Anaconda
Julia Peterson, Anaconda
Delaney Campbell, Belgrade
Drew Gerber, Billings

Report Adopted.

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the forty-sixth, forty-seventh, forty-eighth, forty-ninth, and fiftieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/23/2013

HB 13, introduced bill, be amended as follows:

1. Title, page 1, line 9.

Following: "INITIATIVE;"

Insert: "REQUIRING REPORTING ON THE IMPLEMENTATION OF PAY INCREASES;"

2. Page 1, line 23 through line 26.

Strike: "Effective" through "~~5%~~:" on line 26

Insert: "Funds appropriated under [section 3(1)] must be used to increase the base pay for each employee. The base pay of employees must be increased as determined by the executive branch, including those subject to the provisions of Title 39, chapter 31, with particular attention to the lower pay bands and those who did not receive a base pay increase during the biennium beginning July 1, 2011."

3. Page 4, line 14.

Strike: "\$531,539"

Insert: "\$397,735"[General Fund] "\$52,500" [State Special]

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4. Page 4, line 16.

Strike: "\$29,719"

Insert: "\$18,922"

5. Page 4, line 18

Strike: "\$1,493,543 \$92,934 \$2,634"

Insert: "\$859,838 \$50,113 \$1,821"

6. Page 4, line 20.

Strike: "\$14,031,586 \$12,883,090 \$7,967,684 \$277,418"

Insert: "\$9,060,825 \$7,918,525 \$5,737,675 \$2,049,016"

7. Page 4, line 22.

Strike: "\$7,979,703 \$4,487 \$192,532 \$3,042"

Insert: "\$6,665,150 \$3,703 \$157,792 \$2,437"

8. Page 4, line 24.

Strike: "\$24,036,371 \$13,010,230 \$8,162,850 \$280,460"

Insert: "\$16,983,548 \$8,043,763 \$5,897,289 \$2,051,453"

9. Page 4, line 28.

Strike: "\$1,148,138"

Insert: "\$808,775" [General Fund] "\$142,820" [State Special]

10. Page 4, line 30.

Strike: "\$63,703"

Insert: "\$51,293"

11. Page 5, line 2.

Strike: "\$3,263,710 \$203,469 \$5,768"

Insert: "\$2,360,621 \$137,768 \$5,008"

12. Page 5, line 4.

Strike: "\$31,125,256 \$28,365,742 \$17,584,374 \$613,371"

Insert: "\$20,939,617 \$19,036,495 \$14,600,371 \$5,265,622"

13. Page 5, line 6.

Strike: "\$16,469,103 \$10,107 \$429,468 \$6,513"

Insert: "\$16,907,439 \$10,373 \$441,075 \$6,715"

14. Page 5, line 8.

Strike: "\$52,006,207 \$28,643,021 \$18,019,610 \$619,884"

Insert: "\$41,016,452 \$19,378,749 \$15,046,453 \$5,272,336"

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15. Page 5, line 13.

Strike: "\$4,000,000 \$2,400,000 \$500,000 \$100,000"

Insert: "\$1,000,000 \$600,000 \$125,000 \$25,000"

16. Page 5, line 14 through line 17.

Strike: subsection (3) in its entirety

Insert: "(3) By June 30, 2015, any funds not expended for the purpose of increasing employee pay pursuant to 2-18-303 must revert to the fund from which it was appropriated.

(4) The following money is appropriated for the biennium beginning July 1, 2013, to the Legislative Services Division to be used when retirement costs exceed agency resources or other contingencies arise:

General Fund

\$100,000"

17. Page 5, line 18.

Following: line 17

Insert: "NEW SECTION. Section 4. Reporting of implementation of pay increase. By December 31, 2013, and December 31, 2014, each agency shall submit to the legislative finance committee and the legislative fiscal analyst a report in an electronic format on the implementation of pay increases under 2-18-303 and the impacts of them on the lower pay bands."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 14, introduced bill, be amended as follows:

1. Title, line 7.

FOLLOWING: "PROJECTS"

Insert: "FOR JOBS AND OPPORTUNITY BY BUILDING SCHOOLS AND OTHER FACILITIES"

2. Page 1, line 13.

Strike: "8"

Insert: "9"

3. Page 1, line 16.

Strike: "8"

Insert: "9"

4. Page 1, line 27.

Strike: "\$2.9"

Insert: "\$4.9"

5. Page 1, line 28.

Strike: "\$22"

Insert: "\$29"

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6. Page 2, line 1.

Strike: line 1 in its entirety

Insert: " (8) Butte justice center, Butte, \$1.6 million."

7. Page 2, line 6.

Following: "hall,"

Strike: "\$25"

Insert: "\$20"

8. Page 2, line 9.

Strike: "\$5"

Insert: "\$3"

9. Page 2, line 10.

Strike: "\$25"

Insert: "\$3"

10. Page 2, line 14.

Following: ";

Strike: "and"

11. Page 2, line 15.

Strike: line 15 in its entirety

Insert: "(9) Butte justice center, Butte, \$1.6 million;

(10) Montana state university-Bozeman, construct and renovate space for programs displaced by Romney hall classroom renovation, \$5 million; and

(11) University of Montana - Missoula, Mansfield library student success, \$3.2 million."

12. Page 2, line 18.

Strike: "\$87.9"

Insert: "\$75.5"

13. Page 2, line 29.

Strike: "8"

Insert: "9"

14. Page 3, line 19.

Insert: "NEW SECTION. Section 8. Conditions of projects. The legislature authorizes construction of the Butte-Silver Bow emergency operations center, to be occupied and operated by the consolidated government of Butte-Silver Bow in conjunction with the Butte justice center, if a long-term lease agreement is signed between the state of Montana and the consolidated government of Butte-Silver Bow ensuring payment of all operating and maintenance costs of the consolidated government of Butte-

Silver Bow for its portion of the facility for the life of the building, until the term of the lease is

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altered, or until the building is sold."

Renumber: subsequent sections

15. Page 3, line 23.

Insert: "NEW SECTION. Section 10. Coordination. If the audited ending fund balance of the general fund for June 30, 2013, as provided by the state accountant in the comprehensive annual financial report exceeds \$150 million by more than the amount of the bond authorization in [section 4], the projects approved in [this act] must be paid for out of the general fund rather than being paid with bond proceeds and all bonding authority provided in [this act] is void."

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If House Bill No. 5 is not passed and approved with an appropriation to the Montana historical society for the construction of the Montana heritage center in Helena, then [section 2] is amended to include an appropriation of \$23 million to the Montana historical society for the construction of the Montana heritage center and the amount of general obligation bonds authorized to be issued pursuant to [section 4] is increased by \$23 million."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 378, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: the first "ENTITLEMENT"

Strike: ", "

Insert: "AND"

Following: the second "ENTITLEMENT"

Strike: ", AND" through "EDUCATOR"

2. Page 4, line 7.

Strike: "\$3,282"

Insert: "\$3,036"

3. Page 4, line 8.

Strike: "2014"

Insert: "2008"

Strike: "\$3,350"

Insert: "\$3,042"

And, as amended, do pass. Report adopted.

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APPROPRIATIONS (Ankney, Chair):

3/25/2013

HB 565, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Following: "AUTHORITY;"

Insert: "PROVIDING FOR A REVERSION OF FUNDS;"

2. Page 3, line 14.

Strike: "reasonable"

Insert: "measurable"

Strike: "measures"

Insert: "criteria that relate to development potential"

3. Page 3, line 20.

Strike: "\$350,000"

Insert: "\$175,000"

4. Page 3, line 21.

Following: "[sections 1 through 3]."

Insert: "Any remaining funds that are unencumbered as of June 30, 2015, must revert to the general fund."

And, as amended, do pass. Report adopted.

HB 579, do pass. Report adopted.

HB 628, do pass. Report adopted.

TAXATION (Miller, Chair):

3/25/2013

HB 443, introduced bill, be amended as follows:

1. Title, page 1, line 5 through line 6.

Strike: "AND" on line 5 through "DEFINITIONS" on line 6

2. Title, page 1, line 6.

Strike: "15TH" on line 6

Insert: "30TH"

3. Title, page 1, line 7.

Strike: "PROVIDING" through "AUTHORITY;"

4. Title, page 1, line 8 through line 9.

Strike: "SECTIONS" on line 8 through "7-15-4299, AND" on line 9

Insert: "SECTION"

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5. Page 1, line 14 through page 9, line 25.

Strike: section 1 through section 9 in their entirety

Renumber: subsequent sections

6. Page 9, line 30.

Strike: "15th"

Insert: "30th"

And, as amended, do pass. Report adopted.

HB 581, introduced bill, be amended as follows:

1. Title, page 1, line 13.

Strike: "15-6-224," through "15-16-101,"

2. Title, page 1, line 16.

Following: "15-31-162,"

Insert: "15-32-104, 15-32-105, 15-32-106, 15-32-201,"

3. Title, page 1, line 19.

Strike: "75-25-101,"

Following: "87-2-102,"

Insert: "AND"

Strike: "90-4-602," through "90-4-1005,"

4. Title, page 1, line 22.

Strike: "15-30-2319,"

5. Title, page 1, line 22 through line 23.

Strike: "15-30-2337," through "15-30-2341,"

6. Title, page 1, line 27.

Strike: "15-32-102,"

Strike: "15-32-104" through "15-32-106,"

Strike: "15-32-109,"

7. Title, page 1, line 28.

Strike: "15-32-201," through "15-32-203,"

8. Page 2, line 10.

Strike: "subsection (3)"

Insert: "subsections (3) and (4)"

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9. Page 3, line 14.

Following: line 13

Insert: "(4)(a) A taxpayer who has attained the age of 65 before the close of the taxpayer's tax year may subtract \$2,240 from federal taxable income.

(b) Married taxpayers filing jointly who have both attained the age of 65 by the close of the taxpayers' tax year may subtract \$4,480 from federal taxable income.

(c) The department, by November 1 of each year, shall multiply the amounts in this section by the inflation factor for that tax year and round the product to the nearest \$10. The resulting adjusted amounts are effective for that tax year."

10. Page 8, line 4 through page 13, line 6.

Strike: sections 9 through 11 in their entirety

Renumber: subsequent sections

11. Page 15, line 6.

Strike: "a single"

Insert: "one"

12. Page 19, line 28.

Strike: "\$4,000"

Insert: "\$3,200"

13. Page 19, line 29.

Strike: "\$13,000"

Insert: "\$10,500"

14. Page 19, line 30.

Strike: "\$17,000"

Insert: "\$13,700"

15. Page 20, line 2.

Strike: "\$3,000"

Insert: "\$2,400"

16. Page 20, line 3.

Strike: "\$9,750"

Insert: "\$7,875"

17. Page 20, line 4.

Strike: "\$12,750"

Insert: "\$10,275"

18. Page 20, line 7.

Strike: "\$2,000"

Insert: "\$1,600"

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19. Page 20, line 8.

Strike: "\$6,500"

Insert: "\$5,250"

20. Page 20, line 9.

Strike: "\$8,500"

Insert: "\$6,850"

21. Page 20, line 12.

Strike: "\$2,000"

Insert: "\$1,600"

22. Page 20, line 13.

Strike: "\$6,500"

Insert: "\$5,250"

23. Page 20, line 14.

Strike: "\$8,500"

Insert: "\$6,850"

24. Page 20, line 15.

Following: "(2)"

Insert: "(a)"

25. Page 20, line 16.

Strike: "\$100"

Insert: "amount as provided in subsection (2)(b)"

26. Page 20.

Following: line 18

Insert: "(b) After the application of the inflation factor, the brackets in subsection (1) must be rounded to the nearest amount as follows:

(i) for every married individual who makes a joint return and for every surviving spouse, to the nearest \$100;

(ii) for every head of household, to the nearest \$25;

(iii) for every individual other than a surviving spouse or head of household who is not a married individual, to the nearest \$50; and

(iv) for every married individual who does not make a joint return and for every estate or trust not exempt from taxation under the Internal Revenue Code, to the nearest \$50."

27. Page 29, line 1.

Following: "shall file a"

Insert: "Montana"

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28. Page 42, line 14.

Following: line 13

Insert: "**Section 31.** Section 15-32-104, MCA, is amended to read:

"15-32-104. Limitations on deduction and credit. Tax treatment under ~~15-32-103 and~~ 15-32-109 is limited to persons and firms not primarily engaged in the provision of gas or electricity derived from fossil fuel extraction or conventional hydroelectric development."

Insert: "**Section 32.** Section 15-32-105, MCA, is amended to read:

"15-32-105. Application to new construction -- rules. (1) It is the intent of the legislature that no ~~deduction or~~ credit under this part be allowed for capital investment for an energy conservation practice in the new construction of a building if that capital investment would have been made under established standards of new construction. The department of revenue shall adopt rules to implement this legislative intent. Such rules shall be based on the best currently available methods of analysis, including those of the national bureau of standards, the department of housing and urban development, and other federal agencies and professional societies and materials developed by the department. Provisions shall be made for an annual updating of rules and standards as required.

(2) The department may adopt rules to define standard components of conventional buildings and to establish other necessary elements of the definition of passive solar system consistent with the intent of 15-32-102."

Insert: "**Section 33.** Section 15-32-106, MCA, is amended to read:

"15-32-106. Procedure for obtaining benefit of ~~deduction or~~ credit. The department of revenue shall provide forms on which a taxpayer may apply for a tax credit under 15-32-109. The department of revenue shall approve a ~~deduction or~~ credit under ~~15-32-103 or~~ 15-32-109 that demonstrably promotes energy conservation or uses a recognized nonfossil form of energy generation. The department of revenue may refer a deduction or credit involving energy generation or energy conservation to the department of environmental quality for its advice, and the department of environmental quality shall respond within 60 days. ~~The department of revenue may refer a deduction or credit involving energy conservation to the department of labor and industry for its advice, and the department of labor and industry shall respond within 60 days.~~ The department of revenue may deny a deduction or credit that it finds to be impractical or ineffective."

Insert: "**Section 34.** Section 15-32-201, MCA, is amended to read:

"15-32-201. Amount of credit -- to whom available. (1) A resident individual taxpayer who completes installation of an energy system using a recognized nonfossil form of energy generation, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including installation costs, less grants received, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to chapter 30.

(2) A resident individual taxpayer who completes installation of an energy system using a low-emission wood or biomass combustion device, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including the installation costs, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to Title 15, chapter 30.

(3) In determining whether an energy system is eligible for a tax credit under this part, the department may refer a credit involving an energy system using a recognized nonfossil form of energy generation or a low-emission wood or biomass combustion device to the department of

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environmental quality for its advice, and the department of environmental quality shall respond within 60 days."

Renumber: subsequent sections

29. Page 59, line 12.

Strike: "(a)"

Strike: ", subject to subsection (6)(b),"

30. Page 59, line 15.

Strike: "(i)"

Insert: "(a)"

Renumber: subsequent subsections

31. Page 59, line 25.

Strike: subsection (b) in its entirety

32. Page 76, line 2 through line 24.

Strike: section 59 in its entirety

Renumber: subsequent sections

33. Page 81, line 2 through page 82, line 16.

Strike: section 62 through section 63 in their entirety

Renumber: subsequent sections

34. Page 83, line 6.

Strike: line 6

35. Page 83, line 11 through line 15.

Strike: line 11 through line 15

36. Page 84, line 22.

Strike: line 22

37. Page 84, line 24 through line 26.

Strike: line 24 through line 26

38. Page 84, line 29.

Strike: line 29

39. Page 85, line 1 through line 3.

Strike: line 1 through line 3

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40. Page 89, line 12.

Strike: "27," through "29"

Insert: "24, 25, and 26"

And, as amended, do pass. Report adopted.

SB 81, be concurred in. Report adopted.

SB 179, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House: 3/23/2013

HB 168, introduced by D. Moore

House joint resolution concurred in and returned to the House: 3/23/2013

HJR 12, introduced by Blasdel

House amendments to Senate bills concurred in: 3/23/2013

SB 139, introduced by Walker

SB 319, introduced by Sonju

Senate bill passed and transmitted to the House for concurrence: 3/23/2013

SB 260, introduced by Thomas

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 423, introduced by C. Smith, Ballance, G. Bennett, Blasdel, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Hagstrom, Halvorson, Hansen, Hertz, Ingraham, D. Jones, Kary, Knudsen, Lang, Lenz, Miller, O'Hara, Osmundson, Priest, Randall, Redfield, Regier, Salomon, Shaw, Taylor, Vance, Wagoner, Walker, Washburn, White, Wittich, referred to Education.

HB 496, introduced by Howard, Brodehl, Ehli, Harris, Kary, Knudsen, Lenz, Redfield, Reichner, C. Smith, Washburn, White, referred to State Administration.

HB 571, introduced by Wagoner, referred to Business and Labor.

HB 630, introduced by Williams, referred to Business and Labor.

HB 631, introduced by Fitzpatrick, Kerns, Lavin, referred to Judiciary.

HB 632, introduced by D. Moore, referred to Transportation.

HB 633, introduced by Ehli, Blasdel, Buttrey, Caferro, Hollenbaugh, Keane, Noonan, Olson, referred to Appropriations.

HB 634, introduced by Wagoner, referred to Education.

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HB 635, introduced by Shaw, referred to Education.

The following Senate bills were introduced, read first time, and referred to committees:

SB 96, introduced by Tutvedt, referred to Taxation.

SB 212, introduced by Hamlett, Blewett, Mehlhoff, referred to Agriculture.

SB 260, introduced by Thomas, Boulanger, referred to Fish, Wildlife and Parks.

SB 320, introduced by Vincent, referred to Judiciary.

SB 350, introduced by Tutvedt, Hollandsworth, Peterson, referred to Taxation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 22 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 78

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Glimm, Hagstrom, Howard, Jones, Kary, Kerns, Miller, O'Neil, Osmundson, Schwaderer, C. Smith, Warburton, Zolnikov, Mr. Speaker.

Total 21

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Harris.

Total 1

HB 65 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 76 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Brodehl.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 303 failed as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 47

Nays: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 53

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 463 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Kerns, Miller, O'Neil, Regier, Reichner, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 11 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, Doane, Fitzpatrick, Glimm, Kerns, Regier, Schwaderer, Zolnikov.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 18 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Boland, Coffin, Court, Curtis, Dudik, Eck, Hill, Lynch, MacDonald, McClafferty, Neill, Noonan, Pomnichowski, Squires, Whitford, Williams, Wilson, Woods.

Total 19

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 48 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 122 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

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Nays: Ballance, Brodehl, Flynn, Glimm, Halvorson, Hansen, Harris, Howard, Kary, Knudsen, Laszloffy, Miller, Osmundson, Schwaderer, C. Smith, Vance, Warburton.

Total 17

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 133 concurred in as follows:

Yeas: Ankney, Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 52

Nays: Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 194 concurred in as follows:

Yeas: B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Doane, Eck, Edmunds, Fiscus, Flynn, Galt, Gursky, Halvorson, Hill, Hollandsworth, Hollenbaugh, Jacobson, Jones, Kerns, Knudsen, Laszloffy, Lieser, MacDonald, McCarthy, McChesney, McNally, Mehlhoff, Miller, Neill, O'Hara, O'Neil, Pease-Lopez, Pomnichowski, Price, Randall, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Wilmer, Wilson, Woods, Zolnikov.

Total 52

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Nays: Ankney, Ballance, Bangerter, Berry, Brodehl, Connell, Cook, Cuffe, Curtis, Dudik, Ehli, Fitzpatrick, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hoven, Howard, Hunter, Ingraham, Kary, Lang, Lavin, Lenz, Lynch, McClafferty, McNiven, Moore, Noonan, Osmundson, Peppers, Pierson, Redfield, Regier, Reichner, Salomon, Schreiner, C. Smith, Warburton, Welborn, White, Whitford, Williams, Mr. Speaker.

Total 48

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McCarthy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 15 - Representative McClafferty moved **HB 15** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Fiscus, Howard, Kary, Kerns, McNiven, O'Neil, C. Smith, Zolnikov.

Total 8

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

HB 86 - Representative O'Hara moved **HB 86** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Brodehl, Ingraham, Kerns, O'Neil, Schwaderer, Zolnikov.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 135 - Representative MacDonald moved **HB 135** do pass.

HB 135 - Representative MacDonald moved **HB 135**, second reading copy, be amended as follows:

1. Page 1, line 17 through line 18.

Strike: "AND SUCH" on line 17 through "SYSTEM" on line 18

2. Page 1, line 20.

Strike: "MAY"

Insert: "shall"

3. Page 2, line 2.

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Following: "senate;"

Insert: "and"

4. Page 2, line 3 through line 4.

Strike: subsection (c) in its entirety

Renumber: subsequent subsections

5. Page 2, following line 8.

Insert: "(4) The committee shall select its presiding officer from among the voting members at the first meeting of the committee."

Renumber: subsequent subsections

Amendment **not** adopted as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 55

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 135 - Representative MacDonald moved **HB 135** do pass. Motion **failed** as follows:

Yeas: Ballance, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Ehli, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Hertz, Kary, Knudsen, Lang, Laszloffy, Lenz, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Vance, Warburton, Washburn, White, Mr. Speaker.

Total 34

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Nays: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 66

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 194 - Senate Amendments - Representative Ingraham moved Senate amendments to **HB 194** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 91

Nays: Brodehl, Edmunds, Fitzpatrick, Kerns, Miller, Pomnichowski, Schwaderer, Williams, Zolnikov.
Total 9

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 218 - Majority Leader Vance moved consideration of **HB 218** be placed at the bottom of the second reading board. Motion carried.

HB 586 - Majority Leader Vance moved consideration of **HB 586** be passed for the day. Motion carried.

HB 291 - Senate Amendments - Representative Kerns moved Senate amendments to **HB 291** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Lang.
Total 1

HB 574 - Representative Edmunds moved **HB 574** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

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Nays: Clark, Moore.

Total 2

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 576 - Majority Leader Vance moved consideration of **HB 576** be placed at the bottom of the second reading board. Motion carried.

HB 588 - Representative Harris moved **HB 588** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Knudsen, Lang, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 77

Nays: J. Bennett, Brockie, Curtis, Doane, Edmunds, Ingraham, Jones, Kerns, Laszloffy, Lieser, MacDonald, Noonan, O'Neil, Pease-Lopez, Pomnichowski, Randall, Redfield, Schwaderer, C. Smith, Welborn, Wilson.

Total 21

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Berry, Warburton.

Total 2

HB 604 - Representative C. Smith moved **HB 604** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield,

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Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 - Representative Connell moved **HB 609** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 77

Nays: J. Bennett, Brodehl, Galt, Glimm, Hagstrom, Harris, Ingraham, Jones, Kerns, Knudsen, Lang, Lenz, Miller, O'Neil, Pease-Lopez, Randall, Redfield, Regier, Schwaderer, C. Smith, Whitford, Zolnikov.

Total 22

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

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HB 218 - Representative Ballance moved **HB 218** do pass.

HB 218 - Representative Ballance moved **HB 218**, second reading copy, be amended as follows:

1. Page 2, lines 7 and line 8.

Following: "HEALTH"

Strike: " "

Insert: "AND"

Following: "WELFARE,"

Strike: "AND" on line 7 through "GAS," on line 8

2. Page 3, line 19.

Following: "HEALTH"

Strike: " "

Insert: "and"

Following: "WELFARE"

Strike: ", AND SOCIAL ISSUES"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 42

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 218 - Representative Ankney moved **HB 218**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Coffin, Court, Eck, MacDonald, Pease-Lopez, Squires, Swanson, White, Zolnikov.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 576 - Representative Hertz moved **HB 576** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ankney, J. Bennett, Brodehl, Cuffe, Edmunds, Fiscus, Galt, Hagstrom, Harris, Ingraham, Jones, Kary, Kerns, Lang, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Schwaderer, Welborn, White, Zolnikov.

Total 24

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McCarthy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: B. Bennett, Curtis, McClafferty, Noonan, Pease-Lopez, Peppers, Price, B. Smith, Whitford.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Fitzpatrick.

Total 1

MOTIONS

Majority Leader Vance moved **HB 86** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 576** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 604** be moved from the Committee of the Whole to the Appropriations committee.

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Representative D. Moore moved to change his vote on **SB 133** from Yes to No. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, March 25, 2013. Motion carried.

House adjourned at 3:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
March 26, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Bryce Bennett. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

3/26/2013

Correctly printed: **HB 39, HB 354, HB 580, HB 586, HB 593, HB 606, HB 607, HB 630, HB 633, HB 636, HJR 19, HJR 20, SB 199, SB 239, SB 265, SB 366.**

Correctly engrossed: **HB 86, HB 357, HB 420, HB 599, HB 604, HB 617, HB 625, HB 627, SB 112, SB 136, SB 223, SB 269, SB 335.**

Correctly enrolled: **HB 7, HB 8, HB 38, HB 68, HB 194, HB 210, HB 291, HB 304, HB 314, HB 323, HB 335, HB 362, HB 385, HB 562.**

Examined by the sponsor and found to be correct: **HB 7, HB 8, HB 22, HB 65, HB 105, HB 304, HB 335, HB 463.**

Transmitted to the Senate: **HB 76, SB 11, SB 18, SB 48, SB 122, SB 133, SB 194.**

Signed by the President at 12:15 p.m., March 26, 2013: **HB 91, HB 125, HB 168, HB 247, HJR 12.**

Delivered to the Governor for approval at 11:25 a.m., March 26, 2013: **HB 50, HB 110, HB 224, HB 226, HB 232, HB 278, HB 280, HB 302, HB 469.**

Delivered to the Governor for approval at 1:48 p.m., March 26, 2013: **HB 91, HB 125, HB 168, HB 247.**

Delivered to the Secretary of State at 1:34 p.m., March 26, 2013: **HJR 12.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/25/2013

HB 39, do pass. Report adopted.

HB 625, introduced bill, be amended as follows:

1. Page 1, line 11 through line 12.

Strike: "for" on line 11 through "2015" on line 12

Insert: "paid to providers who contract with the department using the base rate for fiscal year 2012. The department shall increase rates by 2% starting July 1, 2013, and by an additional 2% starting July 1, 2014"

2. Page 1, line 13.

Following: "(2)"

Strike: "The"

Insert: "For those providing medicaid services, the"

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And, as amended, do pass. Report adopted.

HB 627, introduced bill, be amended as follows:

1. Page 1, line 24.

Strike: "\$800,000"

Insert: "\$1.6 million"

2. Page 3, line 9.

Strike: "\$800,000"

Insert: "\$1.6 million"

And, as amended, do pass. Report adopted.

HB 633, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

3/26/2013

HB 86, introduced bill, be amended as follows:

1. Title, page 1, line 6.

Strike: "PROVIDING AN APPROPRIATION;"

2. Page 2, line 15 through page 2, line 17.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 420, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "SECTIONS"

Insert: "SECTION"

Strike: "90-3-1002, AND 90-3-1003,"

2. Page 1, line 30 through page 4, line 13.

Strike: sections 2 and 3 in their entirety

Renumber: subsequent sections

3. Page 4, line 16.

Strike: "\$300,000"

Insert: "\$105,000"

And, as amended, do pass. Report adopted.

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HB 604, introduced bill, be amended as follows:

1. Page 5, line 4.

Strike: "\$400,000"

Insert: "\$100,000"

2. Page 5, line 6.

Following: "[section 1]."

Insert: "Any portion of the appropriation that is unencumbered as of June 30, 2015, must revert to the general fund."

And, as amended, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

3/26/2013

HB 630, do pass. Report adopted.

EDUCATION (Hansen, Chair):

3/25/2013

HB 357, introduced bill, be amended as follows:

1. Title, page 1, line 8.

Following: "AUTHORITY;"

Insert: "PROVIDING AN APPROPRIATION AND A STATUTORY APPROPRIATION; AMENDING SECTION 17-7-502, MCA;"

2. Page 2, line 4.

Strike: "public" through "spending"

Insert: "a student's per-ANB entitlement"

3. Page 3, lines 2 through 4.

Strike: "enroll" on line 2 through "and" on line 3

Following: "instruction" on line 4

Insert: "and the resident school district of each child participating in the my choice savings account program"

4. Page 3, line 10.

Strike: "and"

5. Page 3, line 12.

Following: "account"

Strike: "."

Insert: "; and"

(e) ensure that the student participates in annual state assessment testing or another nationally recognized assessment and annually report the student's scores to the superintendent of public instruction. The resident school district may not include these scores in its assessment reports."

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6. Page 3, line 16.

Following: "funds."

Insert: "A student who returns to the resident school district is not eligible to enroll in the my choice savings account program for the remainder of that school year."

7. Page 3, line 19.

Following: "cause;"

Insert: "and"

8. Page 3, line 20 and line 21.

Strike: "; and" on line 20 through "(3)]" on line 21

9. Page 5, lines 8 through 11.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

10. Page 5, line 21 through page 6, line 14.

Following: "must be" on page 5, line 21

Insert: "the student's maximum rate per-ANB entitlement amount as provided in 20-9-306."

Strike: "65%" on page 5, line 21 through "agreement." on page 6, line 14

11. Page 6, line 20.

Following: "to the"

Insert: "student's individual my choice savings account managed by the"

12. Page 6, line 24.

Following: "deduct"

Insert: "for each student participating in the program"

13. Page 6, line 26.

Following: "the"

Insert: "following"

14. Page 6, line 27.

Strike: "a"

Insert: "an account in the state special revenue fund established by 17-2-102 to be known as the"

15. Page 6, line 29.

Following: "in the fund"

Insert: "is statutorily appropriated, as provided in 17-7-502, and"

16. Page 6, line 30.

Strike: "costs" through "accounts"

Insert: "responsibilities for administering the my choice savings account program"

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17. Page 7, lines 1 and 2.

Strike: "necessary" on line 1 through "accounts" on line 2

Insert: "relating to the superintendent's responsibilities for administering the my choice savings account program "

18. Page 7, line 3.

Insert: "(6) If the funding appropriated to the superintendent of public instruction for making transfers to the commissioner of higher education pursuant to this section in the first year of a student's participation in the my choice savings account program is not sufficient for fiscal year 2014 or fiscal year 2015, the superintendent may not accept additional new participants for that fiscal year."

19. Page 7, line 6.

Following: "(a)"

Insert: "establish and"

20. Page 7, line 16.

Strike: "a"

Insert: "an account in the state special revenue fund established by 17-2-102 to be known as the"

21. Page 7, line 18.

Following: "in the fund"

Insert: "is statutorily appropriated, as provided in 17-7-502, and"

22. Page 7, line 19.

Strike: "costs" through "accounts"

Insert: "responsibilities for administering the my choice savings account program"

23. Page 7, line 22.

Insert: "**Section 10.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; [section 8]; [section 9]; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004;

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23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)"

Insert: "NEW SECTION. **Section 11. Appropriation.** There is appropriated \$5 million in each year of the biennium beginning July 1, 2013, from the state general fund to the superintendent of public instruction for the purpose of making transfers to the commissioner of higher education pursuant to [section 8] in the first year of a student's participation in the my choice savings account program."

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

SB 112, be amended as follows:

1. Title, page 1, line 9.

Strike: "SUSPECTED OF SUSTAINING"

Insert: "WHO EXHIBITS SIGNS, SYMPTOMS, OR BEHAVIORS CONSISTENT WITH"

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2. Page 3, line 5.

Strike: "and scope of practice include"

Insert: "includes"

3. Page 3, line 5 through line 6.

Strike: "in" on line 5 through "athletes" on line 6

4. Page 3, line 22.

Strike: "is" through "sustained"

Insert: "exhibits signs, symptoms, or behaviors consistent with"

5. Page 4, line 8 through line 9.

Strike: ":" on line 8 through "(a)" on line 9

6. Page 4, line 9 through line 10.

Strike: "; or" on line 9 through "concussion" on line 10

7. Page 4, line 12.

Strike: "because of a suspected"

Insert: "after exhibiting signs, symptoms, or behaviors consistent with a"

8. Page 4, line 16.

Following: ";"

Insert: "and"

9. Page 4, line 17 through line 19.

Strike: subsection (ii) in its entirety

Renumber: subsequent subsections

10. Page 4, line 20.

Strike: "keeping" through "guidelines"

Insert: "the licensed health care professional's opinion"

And, as amended, be concurred in. Report adopted.

SB 199, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/25/2013
HB 617, introduced bill, be amended as follows:

1. Title, page 1, line 4.

Following: "DIRECTING"

Strike: "A"

Insert: "THE ENERGY AND TELECOMMUNICATIONS INTERIM"

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2. Title, page 1, line 6.

Strike: "THE FAIR"

3. Title, page 1, line 8 through line 10.

Strike: "REQUIRING" on line 8 through "COMMITTEE;" on line 10

Insert: "PROVIDING AN APPROPRIATION;"

Following: "DATE"

Insert: "AND A TERMINATION DATE"

4. Page 1, line 20 through line 21.

Strike: line 20 through line 21

5. Page 1, line 26 through line 27.

Strike: line 26 through line 27

6. Page 2, line 5 through line 23.

Strike: section 1 in its entirety

Renumber: subsequent sections

7. Page 2, line 25.

Strike: "Study"

Insert: "Interim study"

8. Page 2, line 26.

Following: "The"

Insert: "energy and telecommunications interim"

Strike: "established in [section 1]"

Following: "shall"

Insert: "conduct a"

Following: "study"

Insert: "of"

9. Page 2, line 26 through line 27.

Strike: "." on line 26 through "include" on line 27

Insert: "including"

10. Page 3, line 3.

Strike: "fair"

Strike: "and"

11. Page 3, line 4 through line 5.

Following: "proceedings" on line 4

Insert: ";

Strike: "and" on line 4 through "rights." on line 5

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12. Page 3.

Following: line 5

Insert: "(e) taxpayers' concerns in condemnation proceedings;

(f) the effect of legal fees on costs for all parties; and

(g) laws related to condemnation in states bordering Montana and whether aspects of those laws could be used to improve laws related to condemnation in Montana."

13. Page 3, line 6.

Strike: "(3)"

Insert: "(2)"

Strike: "Upon completion of the study, the"

Insert: "The"

14. Page 3, line 7 through line 9.

Strike: subsection (a) through subsection (b) in their entirety

Renumber: subsequent subsections

15. Page 3, line 17 through line 19.

Strike: subsection (4) in its entirety

Insert: "(3) The committee shall prepare a final report of its findings, conclusions, and recommendations and shall prepare draft legislation whenever appropriate."

16. Page 3, line 22 through line 23.

Strike: "\$20,000" on line 22 through "[section 2]" on line 23

Insert: "\$8,000 for use by the energy and telecommunications interim committee to complete the study required by [section 1]"

17. Page 3.

Following: line 25

Insert: "NEW SECTION. **Section 4. Termination.** [This act] terminates December 31, 2014."

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

3/25/2013

SB 265, be concurred in. Report adopted.

SB 335, be amended as follows:

1. Page 1, line 14.

Strike: "prior"

And, as amended, be concurred in. Report adopted.

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SB 366, be concurred in. Report adopted.

TAXATION (Miller, Chair):

3/25/2013

SB 269, be amended as follows:

1. Page 4, line 15.

Following: "additional"

Insert: "or decreased"

Strike: "over"

Insert: "compared to"

2. Page 6, line 8.

Following: "additional"

Insert: "or decreased"

Strike: "over"

Insert: "compared to"

And, as amended, be concurred in. Report adopted.

TAXATION (Miller, Chair):

3/26/2013

HB 593, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/25/2013

HB 7, introduced by Cook

HB 8, introduced by Cook

HB 304, introduced by Kerns

HB 335, introduced by Eck

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/25/2013

HB 37, introduced by McChesney

HB 187, introduced by Flynn

HB 277, introduced by McChesney

HB 510, introduced by Ingraham

House joint resolution not concurred in and returned to the House:

3/25/2013

HJR 3, introduced by O'Neil

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FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 636, introduced by Salomon, referred to Appropriations.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 19, introduced by Schwaderer, referred to Human Services.

HJR 20, introduced by Dudik, Court, Gibson, referred to Judiciary.

The following Senate bill was introduced, read first time, and referred to committee:

SB 175, introduced by L. Jones, Arthun, Augare, T. Brown, Buttrey, Clark, Driscoll, Facey, Hamlett, Keane, Malek, McChesney, Mehlhoff, O'Hara, Olson, Peterson, Pomnichowski, Ripley, Tutvedt, Vuckovich, Welborn, referred to Education.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Glimm in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 14 - Majority Leader Vance moved consideration of **HB 14** be passed for the day. Motion Carried.

HB 4 - Representative Ankney moved **HB 4** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Glimm, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 67

Nays: J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance,

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Wagoner, White, Zolnikov.

Total 33

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 354 - Representative Connell moved **HB 354** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Court, Doane, Harris, Kerns, Lang, O'Neil, Schwaderer, Zolnikov.

Total 8

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 580 - Representative Connell moved **HB 580** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B.

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Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Woods, Mr. Speaker.
Total 84

Nays: J. Bennett, Berry, Galt, Halvorson, Hansen, Kerns, Knudsen, Lavin, Randall, Regier, Schwaderer, Vance, Warburton, White, Wilson, Zolnikov.
Total 16

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 586 - Representative Cuffe moved **HB 586** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 91

Nays: J. Bennett, Doane, Flynn, Galt, Kerns, Randall, Zolnikov.
Total 7

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Fiscus, C. Smith.
Total 2

HB 599 - Representative Blyton moved **HB 599** do pass.

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HB 599 - Representative Blyton moved **HB 599**, second reading copy, be amended as follows:

1. Page 1, line 28.

Strike: line 28 in its entirety

Insert: "department of transportation;"

2. Page 2, line 9.

Following: "THE"

Strike: "DEPARTMENT OF TRANSPORTATION"

Insert: "transportation commission provided for in 2-15-2502"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

HB 599 - Representative Blyton moved **HB 599**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner,

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Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 80

Nays: J. Bennett, Doane, Flynn, Galt, Halvorson, Hansen, Harris, Kerns, Knudsen, Lavin, McNiven, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, White, Zolnikov.
Total 20

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 606 - Representative McChesney moved **HB 606** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 55

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Hill, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 45

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 607 - Representative Lavin moved **HB 607** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,

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Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

Nays: J. Bennett, Blyton, Fiscus, Flynn, Hagstrom, Harris, Kary, Kerns, Miller, O'Neil, Reichner, White, Zolnikov.
Total 13

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 136 - Representative Lieser moved **SB 136** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 97

Nays: Hagstrom, Howard, Zolnikov.
Total 3

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 197 - Representative Welborn moved **SB 197** do pass.

SB 197 - Representative Connell moved **SB 197**, second reading copy, be amended as follows:

1. Page 1, line 14.

Strike: "not completed"

Insert: "participated in"

Following: "87-2-105"

Insert: "and has taken but has not necessarily passed the required testing to receive a certificate of completion"

2. Page 1, line 17.

Strike: "COMPLETE"

Insert: "pass the required testing and obtain a certificate of completion for"

Amendment **not** adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boss Ribs, Brockie, Coffin, Connell, Cook, Cuffe, Curtis, Greef, Hagan, Hollandsworth, Howard, Ingraham, Lieser, McChesney, McClafferty, McNally, Miller, Moore, Pease-Lopez, Peppers, Pomnichowski, Wilmer, Woods.
Total 27

Nays: Ballance, J. Bennett, Blyton, Boland, Brodehl, Clark, Court, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Zolnikov, Mr. Speaker.
Total 73

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 197 - Representative Brodehl moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn,

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Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 84

Nays: Boland, Brockie, Cuffe, Curtis, Ehli, Jacobson, Lynch, Moore, Neill, Noonan, Pease-Lopez, Schreiner, Swanson, Woods.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: O'Neil, Williams.

Total 2

SB 197 - Representative Welborn moved **SB 197** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 48

Nays: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Flynn, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 52

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 223 - Representative Lenz moved **SB 223** do pass.

SB 223 - Representative Lenz moved **SB 223**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Following: "COMMISSIONER"

Insert: "AND THE LEGISLATURE"

2. Page 4, line 10.

Following: "plan"

Insert: ", including termination of funding sources"

3. Page 6, line 7.

Following: "33-22-1513"

Insert: "and the effect that the plan will have on funding sources, including tobacco settlement funds allocated pursuant to 17-6-606"

4. Page 6, line 11.

Strike: "language"

Insert: "legislation"

Following: "part 15"

Insert: ", and changes to other statutes related to the association"

5. Page 6.

Following: line 11

Insert: "(8) The commissioner shall present the termination plan and the proposed legislation to the economic affairs interim committee."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 223 - Representative Lenz moved **SB 223**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 239 - Representative McNally moved **SB 239** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford,

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Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 85

Nays: J. Bennett, Brodehl, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, O'Neil, Randall, C. Smith, Vance, Wagoner, Mr. Speaker.

Total 15

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Glimm moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Noonan, O'Neil, Schwaderer, Warburton.

Total 4

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 15 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Howard, Jones, Kerns, O'Neil, C. Smith, Zolnikov.

Total 6

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 194 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Cuffe, Edmunds, Fitzpatrick, Kerns, Miller, Pomnichowski, Schwaderer, Williams, Zolnikov.

Total 11

Voted Absentee: None.

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Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 218 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Coffin, Court, Eck, MacDonald, Pease-Lopez, Zolnikov.

Total 6

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 291 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 574 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Clark, Cook, Moore.

Total 3

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 579 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn,

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Whitford, Wilson, Woods, Mr. Speaker.

Total 74

Nays: J. Bennett, Brodehl, Doane, Flynn, Galt, Hagstrom, Hansen, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Pomnichowski, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Wagoner, White, Williams, Zolnikov.

Total 25

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 588 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Knudsen, Lang, Lenz, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Boss Ribs, Brockie, Doane, Edmunds, Hansen, Ingraham, Jones, Kerns, Laszloffy, Lavin, Lieser, Miller, O'Neil, Pease-Lopez, Randall, Redfield, C. Smith, Welborn, Whitford, Zolnikov.

Total 21

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

HB 609 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick,

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Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilson, Woods, Mr. Speaker.

Total 75

Nays: Boss Ribs, Brockie, Brodehl, Galt, Glimm, Harris, Ingraham, Jones, Kerns, Knudsen, Lang, Laszloffy, Lenz, Miller, O'Neil, Osmundson, Pease-Lopez, Randall, Redfield, Regier, Schwaderer, C. Smith, Whitford, Zolnikov.

Total 24

Voted Absentee: None.

Excused: Wilmer.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **HB 14** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 223** be moved from the Committee of the Whole to the Appropriations committee.

Representative Regier moved that **HB 338** be taken from Appropriations and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 45

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn,
Welborn, Whitford, Williams, Wilson, Woods.
Total 54

Voted Absentee: None

Excused: Wilmer.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, March 27, 2013. Motion carried.

House adjourned at 3:25 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
March 27, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Gursky. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Eck, Harris, excused. Quorum present.

BILLS (O'Hara, Chair):

3/27/2013

Correctly printed: **HB 13, HB 86, HB 377, HB 378, HB 404, HB 420, HB 454, HB 472, HB 509, HB 559, HB 565, HB 575, HB 582, HB 591, HB 604, HB 605, HB 614, HB 617, HB 625, HB 626, HB 627, HB 630, HB 633, HB 637, HB 638, HJR 21, HJR 22, HJR 23, SB 19, SB 20, SB 149, SB 158, SB 161, SB 271, SB 290, SB 301, SB 346, SJR 14.**

Correctly engrossed: **HB 5, HB 213, HB 496, HB 589, HB 603, HB 608, HB 623, SB 94, SB 127, SB 160, SB 162, SB 183, SB 196, SB 198, SB 215, SB 250, SB 256, SB 305, SB 324.**

Correctly enrolled: **HB 374, HJR 1, HJR 3.**

Examined by the sponsor and found to be correct: **HB 38, HB 68, HB 194, HB 210, HB 291, HB 314, HB 323, HB 362, HB 385, HB 562.**

Transmitted to the Senate: **HB 15, HB 218, HB 574, HB 579, HB 588, HB 609.**

Signed by the Speaker at 3:55 p.m., March 27, 2013: **HB 105.**

Signed by the Chief Clerk of the House at 4:35 p.m., March 27, 2013: **HB 105.**

Signed by the Speaker at 3:55 p.m., March 27, 2013: **HB 7, HB 8, HB 22, HB 65, HB 72, HB 304, HB 335, HB 463.**

Signed by the Chief Clerk of the House at 4:35 p.m., March 27, 2013: **HB 7, HB 8, HB 22, HB 65, HB 72, HB 304, HB 335, HB 463.**

Signed by the Speaker at 5:30 p.m., March 27, 2013: **HB 38, HB 68, HB 194, HB 210, HB 291, HB 314, HB 323, HB 362, HB 385, HB 562.**

Signed by the Chief Clerk of the House at 5:57 p.m., March 27, 2013: **HB 38, HB 68, HB 194, HB 210, HB 291, HB 314, HB 323, HB 362, HB 385, HB 562.**

Signed by the President at 10:21 a.m., March 27, 2013: **HB 7, HB 8, HB 22, HB 65, HB 72, HB 105, HB 304, HB 335, HB 463.**

Signed by the President at 10:15 a.m., April 2, 2013: **HB 38, HB 68, HB 194, HB 210, HB 291, HB 314, HB 323, HB 362, HB 385, HB 562.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

3/26/2013

SB 94, be amended as follows:

1. Page 1, line 19.

Following: "exchange"

Insert: "in nonmonetary transactions"

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And, as amended, be concurred in. Report adopted.

SB 162, be amended as follows:

1. Page 6, line 17.

Following: "year"

Insert: "not to exceed \$100,000"

And, as amended, be concurred in. Report adopted.

SB 215, be amended as follows:

1. Title, page 1, line 6.

Following: "COMMERCE;"

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 3, line 7.

Following: line 6

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2013."

And, as amended, be concurred in. Report adopted.

SB 250, be amended as follows:

1. Title, page 1, line 6.

Strike: "DEDICATING FUNDS"

Insert: "DELETING REPORTING REQUIREMENTS; REMOVING THE STATUTORY APPROPRIATION"

2. Title, page 1, line 7.

Following: "SECTIONS"

Insert: "17-7-502,"

3. Page 1, line 12.

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state

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that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; ~~87-1-230~~; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; ~~pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013~~; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)"

Renumber: subsequent sections

4. Page 7, line 6.

Strike: "-- annual report"

5. Page 7, line 17 through line 25.

Strike: subsections (4) and (5) in their entirety

And, as amended, be concurred in. Report adopted.

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SB 256, be amended as follows:

1. Page 3, line 13.

Strike: the second "wild"

2. Page 3.

Following: line 19

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. If both House Bill No. 396 and [this act] are passed and approved and both contain sections amending 87-1-216, then the sections amending 87-1-216 are void and 87-1-216 must be amended as follows:

"87-1-216. Wild buffalo or bison as species in need of management -- policy -- department duties. (1) The legislature finds that significant potential exists for the spread of contagious disease to persons or livestock in Montana and for damage to persons and property by wild buffalo or bison. It is the purpose of this section:

(a) to designate publicly owned wild buffalo or bison originating from Yellowstone national park as a species requiring disease control;

(b) to designate other wild buffalo or bison as a species in need of management; and

(c) to set out specific duties for the department for management of the species.

(2) The department:

(a) is responsible for the management, including but not limited to public hunting, of wild buffalo or bison in this state that have not been exposed to or infected with a dangerous or contagious disease but may threaten persons or property;

(b) shall consult and coordinate with the department of livestock on implementation of the provisions of subsection (2)(a) to the extent necessary to ensure that wild buffalo or bison remain disease-free; and

(c) shall cooperate with the department of livestock in managing publicly owned wild buffalo or bison that enter the state on public or private land from a herd that is infected with a dangerous disease, as provided in 81-2-120, under a plan approved by the governor. The department of livestock is authorized under the provisions of 81-2-120 to regulate publicly owned wild buffalo or bison in this state that pose a threat to persons or livestock in Montana through the transmission of contagious disease. The department may, after agreement and authorization by the department of livestock, authorize the public hunting of wild buffalo or bison that have been exposed to or infected with a contagious disease, pursuant to 87-2-730. The department may, following consultation with the department of livestock, adopt rules to authorize the taking of bison where and when necessary to prevent the transmission of a contagious disease.

(3) The department may adopt rules with regard to wild buffalo or bison that have not been exposed to or infected with a contagious disease but are in need of management because of potential damage to persons or property.

(4) The department may not:

(a) release, transplant, relocate, or allow wild buffalo or bison on any private or public land in Montana that has not been authorized for that use by the private or public owner; or

(b) pursuant to [section 1], release, transplant, or relocate any wild buffalo or bison into any Montana county without first receiving the approval of the board of county commissioners of the affected county or counties.

(5) Subject to subsection (4), the department shall develop and adopt a management plan

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before any wild buffalo or bison under the department's jurisdiction may be released, or transplanted, or relocated onto private or public land in Montana. A plan must include but is not limited to:

(a) measures to comply with any applicable animal health protocol required under Title 81, under subsection (2)(b), or by the state veterinarian;

(b) any animal identification and tracking protocol required by the department of livestock to identify the origin and track the movement of wild buffalo or bison for the purposes of subsections (2)(b) and (5)(c);

(c) animal containment measures that ensure that any animal ~~transplanted or released,~~ transplanted, or relocated on private or public land will be contained in designated areas. Containment measures must include but are not limited to:

(i) any fencing required;

(ii) contingency plans to expeditiously relocate wild buffalo or bison that enter private or public property where the presence of the animals is not authorized by the private or public owner;

(iii) contingency plans to expeditiously fund and construct more effective containment measures in the event of an escape; and

(iv) contingency plans to eliminate or decrease the size of designated areas, including the expeditious relocation of wild buffalo or bison if the department is unable to effectively manage or contain the wild buffalo or bison.

(d) a reasonable means of protecting public safety and emergency measures to be implemented if public safety may be threatened;

(e) a reasonable maximum carrying capacity for any proposed designated area using sound management principles, including but not limited to forage-based carrying capacity, and methods for not exceeding that carrying capacity; ~~and~~

(f) an estimation of private property damages and costs for which the department would be liable pursuant to subsection (7) if any released, transplanted, or relocated wild buffalo or bison escape; and

~~(f)~~(g) identification of long-term, stable funding sources that would be dedicated to implementing the provisions of the management plan for each designated area.

(6) When developing a management plan in accordance with subsection (5), the department shall provide the opportunity for public comment and hold a public hearing in the affected county or counties. Prior to making a decision to release, ~~or transplant, or relocate~~ wild buffalo or bison onto private or public land in Montana, the department shall respond to all public comment received and publish a full record of the proceedings at any public hearing.

(7) The department is liable for all costs incurred, ~~including costs arising from protecting public safety,~~ and any damage caused to private property by wild buffalo or bison, including damage that occurs as a result of the department's failure to meet the requirements of subsection (5). This may include costs arising from protecting public safety.

(8) When adopting and implementing rules regarding the special wild buffalo or bison license issued pursuant to 87-2-730, the department shall consult and cooperate with the department of livestock regarding when and where public hunting may be allowed and the safe handling of wild buffalo or bison parts in order to minimize the potential for spreading any contagious disease to persons or to livestock.""

And, as amended, be concurred in. Report adopted.

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SB 301, be concurred in. Report adopted.

SB 305, be amended as follows:

1. Page 1, line 21.

Strike: "has" through "and"

2. Page 1, line 22.

Strike: "by a person"

Insert: "or controlled by an individual, partnership, corporation, association, firm, or other entity, except for the state or a state agency"

3. Page 3, line 5.

Strike: "have" through "and"

4. Page 3, line 6.

Strike: "by a person"

Insert: "or controlled by an individual, partnership, corporation, association, firm, or other entity, except for the state or a state agency"

5. Page 6, line 12.

Strike: "have" through "and"

6. Page 6, line 13.

Strike: "by a person"

Insert: "or controlled by an individual, partnership, corporation, association, firm, or other entity, except for the state or a state agency"

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Ankney, Chair):

3/26/2013

HB 213, introduced bill, be amended as follows:

1. Title, page 1, line 5.

Following: "LIMITING"

Insert: "ELIGIBILITY FOR AND"

2. Page 1, line 15.

Following: "provider."

Insert: "The individual and the eligible student must be connected by consanguinity within the second degree."

And, as amended, do pass. Report adopted.

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HB 404, do pass. Report adopted.

HB 472, do pass. Report adopted.

HB 559, do pass. Report adopted.

HB 608, introduced bill, be amended as follows:

1. Page 1, line 28 through page 2, line 1.

Strike: section 4 in its entirety

Renumber: subsequent sections

And, as amended, do pass. Report adopted.

HB 626, do pass. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

3/27/2013

HB 614, do pass. Report adopted.

SB 20, be concurred in. Report adopted.

SB 127, be amended as follows:

1. Page 4, line 30.

Strike: "EXPRESS"

2. Page 5, line 1 through line 16.

Strike: ", INCLUDING CONDUCT" on line 1 through "EMPLOYER" on line 16

And, as amended, be concurred in. Report adopted.

SB 149, be concurred in. Report adopted.

SB 158, be concurred in. Report adopted.

SB 183, be amended as follows:

1. Page 1, line 13.

Following: "rulemaking."

Insert: "(1) Each licensing board or the department on behalf of a program shall by July 1, 2014, adopt rules that provide that certification or licensure requirements established by that board or program may be met by relevant military training, service, or education completed by an individual as a member of the armed forces or reserves of the United States, the national guard of a state, or the military reserves.

(2) (a) An applicant for certification or licensure shall provide to the board or, if applying for licensure by a program, to the department satisfactory evidence, as specified in rule, of receiving military training, service, or education that is equivalent to relevant certification or licensure requirements."

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2. Page 1, line 13.

Strike: "(1)"

Insert: "(b)"

3. Page 1, line 15.

Following: "state,"

Insert: "or"

4. Page 1, line 16.

Strike: "of a state, or the naval militia of a state"

5. Page 1, line 18 through line 19.

Strike: subsection (2) in its entirety

6. Page 1, following line 19.

Insert: "(3) The department shall report to the interim committee responsible for monitoring licensing boards by January 1, 2014, on the progress and actions taken under this section by each licensing board or program."

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

3/26/2013

HB 605, do pass. Report adopted.

SB 271, be concurred in. Report adopted.

SB 290, be concurred in. Report adopted.

SB 324, be amended as follows:

1. Title, page 1, line 14.

Strike: "76-4-103,"

2. Page 3, line 1.

Following: "exemptions."

Insert: "(1)"

3. Page 3, line 3.

Strike: subsection (1) in its entirety

4. Page 3, line 4.

Strike: "(2)"

Insert: "(a)"

5. Page 3, line 6.

Strike: "(3)"

Insert: "(b)"

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6. Page 3, following line 6.

Insert: "(i) the building was in existence or under construction before [the effective date of this act];"

7. Page 3, line 7.

Strike: "(a)"

Insert: "(ii)"

Renumber: subsequent subsections

8. Page 3, line 14.

Strike: "(3)(D)"

Insert: "(1)(b)(v)"

9. Page 3, line 17.

Strike: "(i)"

Insert: "(A)"

Renumber: subsequent subsections

10. Page 3, following line 19.

Insert: "(2) Any building that is exempt under subsection (1) from the provisions of [sections 1 through 8] and that is or will be served by water or wastewater must be in compliance with the provisions of [section 3].

(3) The exemption provided in subsection (1)(b)(i) is limited to the first three buildings created for lease or rent on a single tract."

11. Page 3, line 22.

Following: "five"

Insert: "the first"

12. Page 3, line 24 through line 25.

Strike: "pursuant to"

Insert: "if review is required by"

Following: "chapter 4,"

Strike: "if the tract" on line 24 through "MORE" on line 25

Insert: "or to the local board or department of health if review is required by Title 50"

13. Page 5, line 21.

Following: "chapter 4"

Insert: "or to the local board or department of health if review is required by Title 50"

14. Page 12, line 25 through line 30.

Strike: section 11 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

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SJR 14, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair):
HB 496, introduced bill, be amended as follows:

3/27/2013

1. Page 7, line 3 through line 4.

Strike: "to exempt" on line 3 through "activities." on line 4

Insert: "on Legislative Referendum No. ____"

2. Page 7, line 5 through line 6.

Strike: "to exempt" on line 5 through "activities." on line 6

Insert: "on Legislative Referendum No. ____"

And, as amended, do pass. Report adopted.

TAXATION (Miller, Chair):
HB 589, introduced bill, be amended as follows:

3/27/2013

1. Page 1, line 15 through 17.

Strike: subsection (1) in its entirety

Insert: "(1) The legislature shall dedicate the following percentages of any tax collected by the state on the extraction, severance, or production of oil and gas, but not including any tax based on the value of the property and collected by the counties, to a trust fund, the interest and income from which may be appropriated:

- (a) 5 percent in 2016;
- (b) 10 percent in 2017;
- (c) 15 percent in 2018;
- (d) 20 percent in 2019;
- (e) 25 percent in 2020; and
- (f) 30 percent in 2021 and thereafter."

2. Page 1, line 19.

Strike: "The" through "appropriated."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/26/2013

HB 38, introduced by Ingraham
HB 68, introduced by MacDonald
HB 210, introduced by McClafferty
HB 314, introduced by Kary
HB 323, introduced by Cuffe

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HB 362, introduced by Berry
HB 385, introduced by Lavin
HB 562, introduced by Swanson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

3/26/2013

HB 24, introduced by Ankney
HB 146, introduced by Hansen
HB 162, introduced by Flynn
HB 195, introduced by Ingraham
HB 203, introduced by Clark
HB 352, introduced by Fitzpatrick
HB 459, introduced by Kerns

Senate joint resolution concurred in and returned to the House:

3/26/2013

SJR 21, introduced by Caferro

This bill is being transmitted after the deadline for General Bills.
Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

House amendments to Senate bill concurred in:

3/26/2013

SB 249, introduced by Debby Barrett

FIRST READING AND COMMITMENT OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 637, introduced by Schwaderer, B. Bennett, Coffin, Hertz, referred to Appropriations.
HB 638, introduced by Regier, referred to Judiciary.

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 21, introduced by Hansen, Essmann, Phillips, Williams, referred to State Administration.
HJR 22, introduced by Coffin, referred to Education.
HJR 23, introduced by B. Bennett, Blewett, Clark, Dudik, Eck, Gursky, Larsen, Lenz, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Schwaderer, Steenberg, Wagoner, Woods, referred to Business and Labor.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 69

Nays: J. Bennett, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Zolnikov.

Total 29

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

HB 39 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Kerns.

Total 1

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Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

HB 354 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 94

Nays: Doane, Kerns, Schwaderer, Zolnikov.

Total 4

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

HB 580 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 82

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Nays: J. Bennett, Flynn, Galt, Kerns, Knudsen, Lavin, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Williams, Zolnikov.
Total 16

Voted Absentee: None.

Excused: Eck, Harris.
Total 2

Absent or not voting: None.
Total 0

HB 586 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 88

Nays: J. Bennett, Doane, Flynn, Galt, Jones, Kerns, McNiven, Randall, Schwaderer, Zolnikov.
Total 10

Voted Absentee: None.

Excused: Eck, Harris.
Total 2

Absent or not voting: None.
Total 0

HB 599 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford,

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Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 77

Nays: J. Bennett, Doane, Flynn, Galt, Halvorson, Hansen, Kerns, Knudsen, Lavin, McNiven, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, White, Zolnikov.

Total 21

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

HB 606 failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Wilmer, Wilson, Woods.

Total 53

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Hertz, Hill, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Williams, Zolnikov, Mr. Speaker.

Total 45

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

HB 607 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth,

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Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Fiscus, Flynn, Kary, Kerns, Miller, O'Neil, Welborn, White, Zolnikov.

Total 10

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

SB 136 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Hagstrom, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

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SB 239 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 85

Nays: J. Bennett, Brodehl, Doane, Edmunds, Glimm, Halvorson, Kerns, O'Neil, Randall, C. Smith, Vance, Wagoner, Mr. Speaker.

Total 13

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Osmundson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 346 - Representative G. Bennett moved **SB 346** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith,

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C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Fiscus.
Total 1

Voted Absentee: Eck, Harris, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 5 - Representative Ankney moved **HB 5** do pass.

HB 5 - Representative Cook moved **HB 5**, second reading copy, be amended as follows:

1. Page 1, line 12.

Strike: "11"

Insert: "12"

2. Page 1, line 16.

Strike: "11"

Insert: "12"

3. Page 2, line 21.

Following: line 20

Insert: "Construct Butte Justice Center, Butte
1,600,000 [LRBP] 1,600,000 [Authority] 3,200,000 [Total]"

4. Page 3, line 19.

Following: line 18

Insert: "MONTANA UNIVERSITY SYSTEM

Renovate Romney Hall Classrooms, MSU-Bozeman

20,000,000" [LRBP] 5,000,000 [Authority] 25,000,000 [Total]

Construct Science and Instructional Tech Building Addition, MSU-Billings

10,000,000 [LRBP] 5,000,000 [Authority] 15,000,000" [Total]

Replace Roof, Great Falls College-MSU

1,000,000 [LRBP] 1,000,000 [Total]

Construct Automotive Technology Center, MSU-Northern

4,900,000 [LRBP] 3,000,000 [Authority] 7,900,000 [Total]

Construct Missoula College UM, UM-Missoula

29,000,000 [LRBP] 3,000,000 [Authority] 32,000,000 [Total]

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Main Hall Renovation, Phase 3, UM-Western
4,000,000 [LRBP] 500,000 [Authority] 4,500,000 [Total]

Construct Natural Resources Research Center Addition, Montana Tech
5,000,000 [LRBP] 5,000,000 [Authority] 10,000,000 [Total]
Construct Jabs Hall, MSU-Bozeman
20,000,000 [Authority] 20,000,000 [Total]
Construct Athlete Academic Center, UM-Missoula
2,500,000 [Authority] 2,500,000 [Total]
Construct Gilkey Executive Education Center, UM-Missoula
9,300,000 [Authority] 9,300,000 [Total]
Construct Mansfield Library Student Success, UM-Missoula
3,200,000 [Authority] 3,200,000 [Total]"

5. Page 8, line 17.

Insert: "NEW SECTION. Section 9. Conditions of projects. The legislature authorizes construction of the Butte-Silver Bow emergency operations center, to be occupied and operated by the consolidated government of Butte-Silver Bow in conjunction with the Butte justice center, if a long-term lease agreement is signed between the state of Montana and the consolidated government of Butte-Silver Bow ensuring payment of all operating and maintenance costs of the consolidated government of Butte-Silver Bow for its portion of the facility for the life of the building, until the term of the lease is altered, or until the building is sold."

Renumber: subsequent sections

6. Page 9, line 6.

Strike: "\$16,300,000"

Insert: "\$91,800,000"

7. Page 9, line 9.

Strike: "10"

Insert: "11"

8. Page 9, line 10.

Strike: "10"

Insert: "11"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson,

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Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 91

Nays: Doane, Jones, Kerns, McNiven, Moore, Randall, Regier, White.
Total 8

Voted Absentee: Eck, Harris, Aye.

Excused: None.
Total 0

Absent or not voting: Washburn.
Total 1

HB 5 - Representative D. Moore moved **HB 5** do pass.

HB 5 - Representative D. Moore moved **HB 5**, second reading copy, be amended as follows:

1. Page 1, line 12.

Strike: "11"

Insert: "12"

2. Page 1, line 16.

Strike: "11"

Insert: "12"

3. Page 2, line 21.

Following: line 20

Insert: "Construct Butte Justice Center, Butte

1,600,000 [LRBP] 1,600,000 [Authority] 3,200,000 [Total]"

4. Page 3, line 19.

Following: line 18

Insert: "MONTANA UNIVERSITY SYSTEM

Renovate Romney Hall Classrooms, MSU-Bozeman

20,000,000" [LRBP] 5,000,000 [Authority] 25,000,000 [Total]

Construct Science and Instructional Tech Building Addition, MSU-Billings

10,000,000 [LRBP] 5,000,000 [Authority] 15,000,000" [Total]

Replace Roof, Great Falls College-MSU

1,000,000 [LRBP] 1,000,000 [Total]

Construct Automotive Technology Center, MSU-Northern

4,900,000 [LRBP] 3,000,000 [Authority] 7,900,000 [Total]

Main Hall Renovation, Phase 3, UM-Western

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4,000,000 [LRBP] 500,000 [Authority] 4,500,000 [Total]
Construct Natural Resources Research Center Addition, Montana Tech
5,000,000 [LRBP] 5,000,000 [Authority] 10,000,000 [Total]
Construct Jabs Hall, MSU-Bozeman
20,000,000 [Authority] 20,000,000 [Total]
Construct Athlete Academic Center, UM-Missoula
2,500,000 [Authority] 2,500,000 [Total]
Construct Gilkey Executive Education Center, UM-Missoula
9,300,000 [Authority] 9,300,000 [Total]
Construct Mansfield Library Student Success, UM-Missoula
3,200,000 [Authority] 3,200,000 [Total]"

5. Page 8, line 17.

Insert: "NEW SECTION. Section 9. Conditions of projects. The legislature authorizes construction of the Butte-Silver Bow emergency operations center, to be occupied and operated by the consolidated government of Butte-Silver Bow in conjunction with the Butte justice center, if a long-term lease agreement is signed between the state of Montana and the consolidated government of Butte-Silver Bow ensuring payment of all operating and maintenance costs of the consolidated government of Butte-Silver Bow for its portion of the facility for the life of the building, until the term of the lease is altered, or until the building is sold."

Renumber: subsequent sections

6. Page 9, line 6.

Strike: "\$16,300,000"

Insert: "\$62,800,000"

7. Page 9, line 9.

Strike: "10"

Insert: "11"

8. Page 9, line 10.

Strike: "10"

Insert: "11"

Amendment **not** adopted as follows:

Yeas: J. Bennett, Berry, Clark, Doane, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Zolnikov, Mr. Speaker.
Total 40

Nays: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl,

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Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 60

Voted Absentee: Harris, Aye; Eck, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 5 - Representative Ballance moved **HB 5**, second reading copy, be amended as follows:

1. Title, page 1, line 7.

Strike: "PROVIDING" through "AUTHORITY;" on line 7

2. Page 1, line 12.

Strike: "11"

Insert: "10"

3. Page 1, line 16.

Strike: "11"

Insert: "10"

4. Page 3, line 9.

Strike: line 9 in its entirety

5. Page 4, line 12 through line 17.

Strike: lines 12 through 17 in their entirety

6. Page 7, line 18.

Strike: "EXCEPT" through the second "THE".

Insert: "The"

7. Page 8, line 18 through page 9, line 4.

Strike: section 9 in its entirety

Renumber: subsequent sections

8. Page 9, line 9.

Strike: "10"

Insert: "9"

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9. Page 9, line 10.

Strike: "10"

Insert: "9"

Amendment **not** adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Brodehl, Clark, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 43

Nays: Ankney, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 56

Voted Absentee: Harris, Aye; Eck, No.

Excused: None.

Total 0

Absent or not voting: O'Neil.

Total 1

HB 5 - Representative Ankney moved **HB 5**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Doane, Flynn, Galt, Glimm, Greef, Halvorson, Harris, Howard, Jones, Kary, Kerns, Knudsen, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, White.

Total 25

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Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 13 - Representative Swanson moved **HB 13** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 69

Nays: Ballance, J. Bennett, Doane, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, McNiven, Moore, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.

Total 31

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 86 - Representative O'Hara moved **HB 86** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

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White, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 95

Nays: Ingraham, Kerns, O'Neil, Zolnikov.

Total 4

Voted Absentee: Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: Woods.

Total 1

SB 19 - Representative Connell moved **SB 19** be concurred in.

SB 19 - Representative Brodehl moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Court, Dudik, Flynn, Lynch, MacDonald, McCarthy, Noonan, Pierson, Pomnichowski, Schreiner, Swanson, Warburton, Wilson.

Total 13

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: Berry.

Total 1

SB 19 - Representative Connell moved **SB 19** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen,

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Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Regier, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Flynn, Gursky, Halvorson, Hill, Hollenbaugh, Hunter, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Schreiner, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Eck, No.

Excused: Harris.

Total 1

Absent or not voting: None.

Total 0

HB 377 - Representative Woods moved **HB 377** do pass.

HB 377 - Representative Redfield moved **HB 377**, second reading copy, be amended as follows:

1. Title, page 1, line 15.

Strike: "REVISING"

Insert: "ELIMINATING"

2. Title, page 1, line 21.

Strike: "19-20-719,"

3. Title, page 1, line 22.

Following: "19-20-732,"

Insert: "19-20-733,"

4. Title, page 1, line 23.

Following: "MCA;"

Insert: "REPEALING SECTION 19-20-719, MCA;"

5. Page 2, line 13.

Following: the first "participants"

Insert: ", "

Strike: "and"

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Following: the second "participants"

Insert: ", and elimination of the guaranteed annual benefit adjustment"

6. Page 13, line 7.

Following: "AND"

Insert: "and"

7. Page 13, line 9 through line 11.

Strike: "; AND" on line 9 through "19-20-719" on line 11

8. Page 15, line 27 through page 16, line 17.

Strike: section 11 in its entirety

Renumber: subsequent sections

9. Page 17.

Following: line 22

Insert: "**Section 12.** Section 19-20-733, MCA, is amended to read:

"19-20-733. Resumption of employment by retired member -- suspension of benefits. (1) [Except as provided in 19-20-732,] if a retired member returns to employment in a position covered by the retirement system and becomes an active contributing member, benefits must be suspended until the member terminates all employment and applies to have benefits reinstated.

(2) Except as provided in subsection (4), upon termination and retirement of a previously retired member who was reinstated to active membership pursuant to 19-20-731 before July 1, 2009:

(a) if the member earned less than 1 year of creditable service, the original benefit and retirement option that the member was receiving at the time of suspension of benefits must be reinstated beginning either the first of the month following termination or on July 1 following the date on which the retired member was reemployed, whichever is later; or

(b) if the member earned 1 year or more of creditable service, retirement benefits must be recalculated under 19-20-804 if the member would qualify for a service retirement benefit under 19-20-801 or under 19-20-802 if the member is eligible for early retirement. The recalculated benefit must include the service credit accumulated at the time of the member's previous retirement, plus any service credit accumulated subsequent to reemployment. The recalculated benefit amount must be increased by the amount of any benefit enhancement ~~received pursuant to 19-20-719~~ that the retired member was receiving when the member's benefits were suspended.

(3) (a) Except as provided in subsection (4), upon the subsequent retirement of a formerly retired member who was reinstated to active membership pursuant to 19-20-731 on or after July 1, 2009, and earned:

(i) at least 3 years of membership service following suspension of benefits, the member is entitled to resume receiving the suspended benefit in accordance with the retirement benefit option and joint annuitant previously selected, plus an additional benefit based upon the new creditable service and compensation earned. The second benefit must be calculated as provided under 19-20-804 if the member is eligible for a service retirement benefit or under

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19-20-802 if the member is eligible for early retirement. The second benefit must be paid under the same retirement benefit option and with the same joint annuitant originally elected.

(ii) less than 3 years of membership service following suspension of benefits, the member is entitled to resume receiving the suspended benefit in accordance with the retirement benefit option previously selected, plus a refund of the employee contributions contributed after the member was reinstated to active service, plus interest.

(b) If a member dies during the period of reemployment following an initial retirement, the member must be considered as retiring on the day preceding the date of death and benefits must be determined according to the following:

(i) If the member elected the normal form benefit prior to reemployment, the member's designated beneficiary must receive an amount equal to the member's accumulated contributions on deposit.

(ii) If the member elected a retirement option pursuant to 19-20-702 prior to reemployment, the benefits due are payable in accordance with the terms of the original option elected and this subsection (3).

(4) If a retired member who has not attained normal retirement age is reemployed with the same employer within 30 days from the member's effective date of retirement or if that member is guaranteed reemployment with the same employer, the member must be considered to have continued in the status of an active member and not to have separated from service. Any retirement allowance payments received by the member must be repaid to the system, together with interest, at the actuarially assumed rate, and the retirement allowance must be canceled. (Bracketed language terminates June 30, 2015--sec. 5, Ch. 129, L. 2009.)"

Renumber: subsequent sections

10. Page 27.

Following: line 14

Insert: "NEW SECTION. Section 22. Repealer. The following section of the Montana Code Annotated is repealed:

19-20-719. Guaranteed annual benefit adjustment -- rulemaking."

Renumber: subsequent sections

Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 43

Nays: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 57

Voted Absentee: Harris, Aye; Eck, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 377 - Representative Woods moved **HB 377** do pass. Motion passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 64

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov.
Total 36

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 378 - Representative McClafferty moved **HB 378** do pass. Motion passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Cook, Doane, Edmunds, Galt, Glimm, Hollandsworth, Howard, Kerns, O'Neil, Osmundson, Randall, C. Smith, Zolnikov.

Total 13

Voted Absentee: Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: McNiven.

Total 1

HB 420 - Representative Salomon moved **HB 420** do pass. Motion passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods.

Total 73

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Galt, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Miller, O'Neil, Randall, Regier, Reichner, C. Smith, Vance, Wagoner, White, Williams, Zolnikov, Mr. Speaker.

Total 26

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Osmundson moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Flynn, Schwaderer.
Total 2

Voted Absentee: None

Excused: Eck, Harris.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative McClafferty moved to change her vote on **SB 19** from Yes to No. Without objection, so ordered.

Representative Wilson moved to change her vote on **HB 377** from Not Voting to Yes. Without objection, so ordered.

Representative Edmunds moved to reconsider action on **SB 197** and that **SB 197** be placed on second reading on this same day.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Fiscus, Galt, Gibson, Glimm, Halvorson, Hansen, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 41

Nays: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Ehli, Fitzpatrick, Flynn, Greef, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Laszloffy, Lieser, Lynch, MacDonald,

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McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 56

Voted Absentee: None.

Excused: Eck, Harris.

Total 2

Absent or not voting: Welborn.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House recess until 5:30 p.m. this afternoon. Motion carried.

House recessed.

House reconvened.

Roll Call. All members present, except Representatives Eck, Harris, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

3/27/2013

HB 509, do pass. Report adopted.

HB 575, do pass. Report adopted.

HB 582, do pass. Report adopted.

HB 591, do pass. Report adopted.

HUMAN SERVICES (Howard, Chair):

3/27/2013

HB 623, introduced bill, be amended as follows:

1. Title, page 1, line 6 through line 8.

Strike: "ESTABLISHING A" on line 6 through "INSURANCE;" on line 8

2. Title, page 1, line 10 through line 11.

Strike: "CREATING A" on line 10 through "APPROPRIATION AND" on line 11

Insert: "PROVIDING"

Strike: "17-7-502," on line 10

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3. Title, page 1, line 12 through line 13.

Following: "50-4-716" on line 12

Strike: ", "

Following: "EFFECTIVE DATES"

Strike: ", "

Insert: "AND"

Following: "APPLICABILITY DATES"

Strike: ", AND" on line 12 through "DATE" on line 13

4. Page 1, line 17.

Strike: "8"

Insert: "3"

5. Page 1, line 20.

Strike: "8"

Insert: "3"

6. Page 1, line 23 through Page 2, line 9.

Strike: "8" on line 23

Insert: "3"

Strike: "state government" on line 23 through "ensure" on Page 2, line 9

Insert: "the state has an interest in ensuring"

Strike: ";" on line 9

Insert: "."

7. Page 2, line 10 through line 13.

Strike: subsection (e) through subsection (g) in their entirety

8. Page 2, line 15 through page 8, line 6.

Strike: section 3 through section 8 in their entirety

Renumber: subsequent sections

9. Page 8, line 12 through page 9, line 20.

Strike: section 10 in its entirety

Renumber: subsequent sections

10. Page 11, line 18.

Strike: "\$10 million"

Insert: "\$9,000"

11. Page 11, line 19.

Strike: "income-enhancement" through "[section 8]"

Insert: "general fund"

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12. Page 12, line 2 through line 8.

Strike: "(1) There is" on line 2 through "(3)" on line 8

13. Page 12, line 9.

Strike: "\$515,265"

Insert: "\$9,000"

Strike: "to expand"

Insert: "for"

14. Page 12, line 11 through line 14.

Strike: "(1)" on line 11 through "(2)" on line 14

15. Page 12, line 14.

Strike: "9"

Insert: "3"

16. Page 12, line 15.

Strike: "9"

Insert: "3"

17. Page 12, line 17 through line 29.

Strike: section 15 through section 16 in their entirety

18. Page 13, line 8.

Strike: ", 5 through 10,"

Strike: "13"

Insert: "6"

19. Page 13, line 10.

Strike: "11, 12"

Insert: "5"

Strike: "14 through 21"

Insert: "7 through 11"

20. Page 13, line 12.

Strike: "9"

Insert: "3"

21. Page 13, line 18.

Strike: section 21 in its entirety

And, as amended, do pass. Report adopted.

JUDICIARY (Kerns, Chair):

3/27/2013

HB 603, introduced bill, be amended as follows:

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1. Page 1, line 18.

Following: "exists"

Strike: "an immediate"

Insert: "a possible"

And, as amended, do pass. Report adopted.

SB 160, be amended as follows:

1. Title, page 1, line 9.

Strike: "AMENDING SECTION 46-23-502, MCA;"

2. Page 2, line 2.

Insert: "(4) For purposes of this section, "nonorganic failure to thrive" means inadequate physical growth that is a result of insufficient nutrition and is not secondary to a diagnosed medical condition."

3. Page 2, line 3 through page 3, line 22.

Strike: section 2 in its entirety

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 196, be amended as follows:

1. Title, page 1, line 7.

Strike: "AND PRIVATE USERS"

Following: ";

Insert: "AND"

2. Title, page 1, line 8.

Following: "COURT"

Strike: remainder of line 8 through "MCA"

3. Page 1, line 10.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Limitations on unmanned aerial vehicles. (1) In any prosecution or proceeding within the state of Montana, information from an unmanned aerial vehicle is not admissible as evidence unless the information was obtained:

(a) pursuant to the authority of a search warrant; or

(b) in accordance with judicially recognized exceptions to the warrant requirement.

(2) Information obtained from the operation of an unmanned aerial vehicle may not be used in an affidavit of probable cause in an effort to obtain a search warrant unless the information was obtained under the circumstances described in subsection (1)(a) or (1)(b) or

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was obtained through the monitoring of public lands or international borders.

(3) For the purposes of this section, "unmanned aerial vehicle" means an aircraft that is operated without direct human intervention from on or within the aircraft. The term does not include satellites."

Insert: "NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 46, chapter 5, part 1, and the provisions of Title 46, chapter 5, part 1, apply to [section 1]."

And, as amended, be concurred in. Report adopted.

SB 198, be amended as follows:

1. Page 1, line 18.

Following: "minor"

Insert: "under 45-5-201(1)(a)"

2. Page 1, line 21.

Strike: "10"

Insert: "5"

3. Page 1, line 25.

Following: "minor"

Insert: "under 45-5-201(1)(a)"

4. Page 2, line 27.

Strike: "must"

Insert: "may"

And, as amended, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

3/27/2013

SB 161, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

3/27/2013

HB 374, introduced by Fitzpatrick

House joint resolutions concurred in and returned to the House:

3/27/2013

HJR 1, introduced by Blyton

HJR 3, introduced by O'Neil

House bills concurred in as amended and returned to the House for concurrence in Senate

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amendments:

3/27/2013

HB 23, introduced by B. Bennett
HB 184, introduced by Fiscus
HB 250, introduced by Bangerter
HB 485, introduced by Lavin

MESSAGES FROM THE GOVERNOR

March 27, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that I have signed **House Bill 59** sponsored by Representative Lynch, **House Bill 89** sponsored by Representative Lynch, **House Bill 305** sponsored by Representative Lang, **House Bill 308** sponsored by Representative Lang, **House Bill 330** sponsored by Representative Fitzpatrick, **House Bill 333** sponsored by Representative Price, **House Bill 337** sponsored by Representative Redfield, **House Bill 351** sponsored by Representative Edmunds, **House Bill 356** sponsored by Representative Clark, **House Bill 368** sponsored by Representative Clark, and **House Bill 399** sponsored by Representative Ballance on March 27, 2013.

Sincerely,

STEVE BULLOCK
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Edmunds in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 454 - Representative McChesney moved **HB 454** do pass. Motion carried as follows:

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Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 36

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 565 - Representative McCarthy moved **HB 565** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Jacobson, Jones, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Hansen, Harris, Hoven, Ingraham, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 42

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 604 - Representative C. Smith moved **HB 604** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Greef, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 47

Voted Absentee: Harris, Aye; Eck, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 617 - Representative Flynn moved **HB 617** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Squires, Steenberg, Swanson, Warburton, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 68

Nays: Ankney, Boland, Brockie, Connell, Dudik, Fitzpatrick, Glimm, Harris, Hill, Hollandsworth, Hollenbaugh, Jones, Kerns, Lavin, Lenz, Moore, O'Neil, Osmundson, Peppers, Pomnichowski, Reichner, Schreiner, Shaw, B. Smith, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilson.

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Total 31

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

HB 625 - Representative Ankney moved **HB 625** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Doane, Edmunds, Howard, Kary, Kerns, McNiven, Schwaderer.

Total 7

Voted Absentee: Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: Squires.

Total 1

HB 627 - Representative Osmundson moved **HB 627** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,

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Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Hagstrom, Hansen, Kary, Kerns, O'Neil, Schwaderer, B. Smith, C. Smith, Zolnikov.

Total 10

Voted Absentee: Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 628 - Representative Steenberg moved **HB 628** do pass. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Voted Absentee: Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 630 - Representative Williams moved **HB 630** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 61

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Miller, O'Neil, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 633 - Representative Ehli moved **HB 633** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 73

Nays: J. Bennett, Doane, Flynn, Galt, Gursky, Hagstrom, Halvorson, Hansen, Harris, Ingraham, Jones, Kerns, Knudsen, Laszloffy, Lavin, McNally, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, B. Smith, C. Smith, Vance, Wagoner, White, Williams.

Total 27

Voted Absentee: Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee

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arose. House resumed. Mr. Speaker presiding. Chair Edmunds moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Bennett, Boland, Edmunds, Fitzpatrick, Gursky, B. Smith, Wilson.

Total 7

Voted Absentee: None.

Excused: Harris.

Total 1

Absent or not voting: Schwaderer.

Total 1

MOTIONS

Representative Noonan moved to change his vote on **HB 617** from No to Yes. Without objection, so ordered.

Minority Leader Hunter moved that **HB 590** be taken from Human Services and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus,

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Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 50

Voted Absentee: None.

Excused: Harris.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 9:00 a.m., Thursday, March 28, 2013. Motion carried.

House adjourned at 6:35 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
March 28, 2013

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker presiding. Invocation by Representative Hagstrom. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Berry and Harris, excused. Quorum present.

BILLS (O'Hara, Chair):

3/28/2013

Correctly printed: **HB 443, HB 589, HB 605, HB 608, HB 626, HB 634, HB 635, SB 340.**

Correctly engrossed: **HB 423, HB 581, HB 593, HJR 18, SB 31.**

Correctly enrolled: **HB 283, HB 328, HB 402, HB 455, HB 462.**

Examined by the sponsor and found to be correct: **HB 374, HJR 1, HJR 3.**

Transmitted to the Senate: **HB 4, HB 39, HB 86, HB 354, HB 377, HB 378, HB 404, HB 420, HB 454, HB 472, HB 509, HB 513, HB 559, HB 565, HB 575, HB 580, HB 582, HB 586, HB 599, HB 604, HB 607, HB 617, HB 625, HB 627, HB 630, HB 633, SB 19, SB 136, SB 239, SB 346.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the fifty-first, fifty-second, fifty-third, fifty-fourth, and fifty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

BUSINESS AND LABOR (Berry, Chair):

3/28/2013

HJR 18, introduced joint resolution, be amended as follows:

1. Title, line 6.

Following: "LICENSING"

Insert: "AND PRIVILEGES"

2. Title, line 7.

Strike: "WHOLESALEERS"

Insert: "DISTRIBUTORS"

Following: "OTHERS,"

Insert: "PROMOTING NEGOTIATIONS AMONG THE THREE TIERS OF THE ALCOHOL INDUSTRY,"

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3. Page 1, line 9.

Insert: "WHEREAS, the 21st Amendment to the United States Constitution allows each state to create and modify, as needed from time to time, a unique system for the control of alcoholic beverages; and

WHEREAS, Montana, the other 49 states, and the federal government have all recognized that alcohol is a unique product and requires careful regulation; and

WHEREAS, Montana has always recognized that the core purposes of the 21st Amendment are to promote temperance, to maintain an orderly market, to aid in the collection of taxes, and to promote the public policy of responsible consumption; and"

4. Page 1, line 11.

Following: "licensees,"

Strike: "new"

Insert: "privileges for licensees,"

5. Page 1, line 12.

Strike: "management practices"

Insert: "the need for regulation to protect society and the careful balance of the economic interests of the three tiers of the alcoholic beverage industry"

6. Page 1, line 13.

Strike: "manufacturing" on line 13

Strike: "and"

7. Page 1, line 14.

Following: "wineries"

Insert: ", distributors, and retailers"

Strike: "have grown to be" on line 14

Insert: "are all"

8. Page 1, line 18.

Following: line 17

Insert: "WHEREAS, a conflict has arisen among the three tiers of the alcoholic beverage industry over retail licenses and on-premises privileges that needs to be studied by an appropriate interim committee; and"

9. Page 1, line 18.

Strike: "or adding to"

10. Page 1, line 19.

Following: "licensing"

Insert: ", privilege, "

Following: "public,"

Strike: "agricultural interests, tourism, and"

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11. Page 1, line 20.

Following: "economy"

Insert: ", and societal protection"

12. Page 1, line 28.

Strike: "comprehensive"

13. Page 1, line 29.

Following: "manufacturers"

Insert: "by promoting cooperative negotiations among the three tiers of the alcoholic beverage industry"

14. Page 1, line 30.

Strike: "streamline, improve, and update"

Insert: "revise"

Strike: "alcohol"

Following: "licensing"

Insert: "and privilege"

15. Page 2, line 1.

Following: "public,"

Strike: "including" through "and"

Insert: "the alcoholic beverage industry,"

16. Page 2, line 2.

Following: "economy"

Insert: ", and societal protection"

17. Page 2, line 4.

Strike: "and"

Following: "manufacturers,"

Insert: "the gaming industry, and the restaurant and hotel industry,"

18. Page 2, line 5 through line 6.

Strike: line 5 through line 6 in their entirety

And, as amended, do pass. Report adopted.

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EDUCATION (Hansen, Chair):

3/27/2013

HB 423, introduced bill, be amended as follows:

1. Page 2, following line 28.

Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both House Bill No. 239 and [this act] are passed and approved, then [this act] is void.

Renumber: subsequent sections

2. Page 3, line 10 through line 11.

Strike: "to requiring" on line 10 through "education." on line 11

Insert: "on Legislative Referendum No. ____"

3. Page 3, line 12 through line 13.

Strike: "to requiring" on line 12 through "education." on line 13

Insert: "on Legislative Referendum No. ____"

And, as amended, do pass. Report adopted.

HB 634, do pass. Report adopted.

HB 635, do pass. Report adopted.

SB 340, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 3/27/2013

SB 31, be amended as follows:

1. Page 2, line 18.

Strike: ", except as provided in subsection (10)(b),"

2. Page 2, line 19.

Following: "2005,"

Strike: "and that"

Insert: "or is a hydroelectric project referred to in subsection (10)(a)(iv)(C), any of which"

3. Page 2, line 23.

Following: "(iv)"

Insert: "except as provided in subsection (10)(b),"

4. Page 2, line 25.

Following: "~~less~~"

Strike: "; or"

Insert: "and that has a nameplate rating of 10 megawatts or less;"

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5. Page 2, line 27.

Following: "~~less~~"

Insert: ", and has a nameplate capacity of 15 megawatts or less; or
(C) commences commercial operation in Montana on or after January 1, 2013"

6. Page 3, line 8 through line 11.

Strike: line 8 through line 11 in their entirety

Insert: "(b) The term does not include federal hydroelectric projects located in Montana or delivering electricity from another state into Montana."

7. Page 7.

Following: line 19

Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both Senate Bill No. 45 and [this act] are passed and approved and if both contain a section that amends 69-3-2003, then the sections amending 69-3-2003 are void and 69-3-2003 must be amended as follows:

"69-3-2003. Definitions. As used in this part, unless the context requires otherwise, the following definitions apply:

(1) "Ancillary services" means services or tariff provisions related to generation and delivery of electric power other than simple generation, transmission, or distribution. Ancillary services related to transmission services include energy losses, energy imbalances, scheduling and dispatching, load following, system protection, spinning reserves and nonspinning reserves, and reactive power.

(2) "Balancing authority" means a transmission system control operator who balances electricity supply and load at all times to meet transmission system operating criteria and to provide reliable electric service to customers.

(3) "Common ownership" means the same or substantially similar persons or entities that maintain a controlling interest in more than one community renewable energy project even if the ownership shares differ between two community renewable energy projects. Two community renewable energy projects may not be considered to be under common ownership simply because the same entity provided debt or equity or both debt and equity to both projects.

(4) "Community renewable energy project" means an eligible renewable resource that:

(a) is interconnected on the utility side of the meter in which local owners have a controlling interest and that is less than or equal to 25 megawatts in total calculated nameplate capacity; or

(b) is owned by a public utility and has less than or equal to 25 megawatts in total nameplate capacity.

(5) (a) "Competitive electricity supplier" means any person, corporation, or governmental entity that is selling electricity to small customers at retail rates in the state of Montana and that is not a public utility or cooperative.

(b) The term does not include governmental entities selling electricity produced only by facilities generating less than 250 kilowatts that were in operation prior to 1990.

(6) "Compliance year" means each calendar year beginning January 1 and ending December 31, starting in 2008, for which compliance with this part must be demonstrated.

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(7) "Cooperative utility" means:

- (a) a utility qualifying as an electric cooperative pursuant to Title 35, chapter 18; or
- (b) an existing municipal electric utility as of May 2, 1997.

(8) "Dispatch ability" means the ability of either a balancing authority or the owner of an electric generating resource to rapidly start, stop, increase, or decrease electricity production from that generating resource in order to respond to the balancing authority's need to match supply resources to loads on the transmission system.

(9) "Electric generating resource" means any plant or equipment used to generate electricity by any means.

(10)(a) "Eligible renewable resource" means a facility either located within Montana or delivering electricity from another state into Montana that commences commercial operation after January 1, 2005, is a hydroelectric project referred to in subsection (10)(a)(iv)(C), or is a hydroelectric project expansion referred to in subsection (10)(a)(iv)(D), and that any of which produces electricity from one or more of the following sources:

~~(a)~~(i) wind;

~~(b)~~(ii) solar;

~~(c)~~(iii) geothermal;

~~(d)~~(iv) except as provided in subsection (10)(b), water power, in the case of a hydroelectric project that:

~~(i)~~(A) does not require a new appropriation, diversion, or impoundment of water and that has a nameplate rating of 10 megawatts or less; ~~or~~

~~(ii)~~(B) is installed at an existing reservoir or on an existing irrigation system that does not have hydroelectric generation as of April 16, 2009, and has a nameplate capacity of 15 megawatts or less;

(C) commences commercial operation in Montana on or after January 1, 2013, and is not an expansion under subsection (10)(a)(iv)(D); or

(D) is an expansion of a hydroelectric project that increases existing generation capacity on or after December 31, 2010. The eligible renewable resource includes only the proportion of actual hourly generation resulting from the expansion based on the ratio of added capacity to the total capacity of the expanded hydroelectric project. If the total capacity of the expanded hydroelectric project subsequently changes, the ratio of added capacity to the total capacity of the hydroelectric project must be recalculated.

~~(e)~~(v) landfill or farm-based methane gas;

~~(f)~~(vi) gas produced during the treatment of wastewater;

~~(g)~~(vii) low-emission, nontoxic biomass based on dedicated energy crops, animal wastes, or solid organic fuels from wood, forest, or field residues, except that the term does not include wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chroma-arsenic;

~~(h)~~(viii) hydrogen derived from any of the sources in this subsection ~~(10)~~ (10)(a) for use in fuel cells;

~~(i)~~(ix) the renewable energy fraction from the sources identified in ~~subsections (10)(a) through (10)(j)~~ this subsection (10)(a) of electricity production from a multiple-fuel process with fossil fuels; and

~~(j)~~(x) compressed air derived from any of the sources in this subsection ~~(10)~~ (10)(a) that is forced into an underground storage reservoir and later released, heated, and passed through a turbine generator.

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(b) The term does not include federal hydroelectric projects located in Montana or delivering electricity from another state into Montana.

- (11) "Local owners" means:
- (a) Montana residents;
 - (b) general partnerships of which all partners are Montana residents;
 - (c) business entities organized under the laws of Montana that:
 - (i) have less than \$50 million of gross revenue;
 - (ii) have less than \$100 million of assets; and
 - (iii) have at least 50% of the equity interests, income interests, and voting interests owned by Montana residents;
 - (d) Montana nonprofit organizations;
 - (e) Montana-based tribal councils;
 - (f) Montana political subdivisions or local governments;
 - (g) Montana-based cooperatives other than cooperative utilities; or
 - (h) any combination of the individuals or entities listed in subsections (11)(a) through (11)(g).
- (12) "Nonspinning reserve" means offline generation that can be ramped up to capacity and synchronized to the grid within 10 minutes and that is needed to maintain system frequency stability during emergency conditions, unforeseen load swings, and generation disruptions.
- (13) "Public utility" means any electric utility regulated by the commission pursuant to Title 69, chapter 3, on January 1, 2005, including the public utility's successors or assignees.
- (14) "Renewable energy credit" means a tradable certificate of proof of 1 megawatt hour of electricity generated by an eligible renewable resource that is tracked and verified by the commission and includes all of the environmental attributes associated with that 1 megawatt-hour unit of electricity production.
- (15) "Seasonality" means the degree to which an electric generating resource is capable of producing electricity in each of the seasons of the year.
- (16) "Small customer" means a retail customer that has an individual load with an average monthly demand of less than 5,000 kilowatts.
- (17) "Spinning reserve" means the online reserve capacity that is synchronized to the grid system and immediately responsive to frequency control and that is needed to maintain system frequency stability during emergency conditions, unforeseen load swings, and generation disruptions.
- (18) "Total calculated nameplate capacity" means the calculation of total nameplate capacity of the community renewable energy project and other eligible renewable resources that are:
- (a) located within 5 miles of the project;
 - (b) constructed within the same 12-month period; and
 - (c) under common ownership."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

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THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 5 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Doane, Flynn, Galt, Glimm, Halvorson, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, White.

Total 27

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 13 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gibson, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 65

Nays: Ballance, J. Bennett, Brodehl, Doane, Fiscus, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, McNiven,

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O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance,
Wagoner, Warburton, White, Zolnikov.
Total 34

Voted Absentee: Harris, No.

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

HB 86 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 93

Nays: Harris, Ingraham, Kerns, O'Neil, Schwaderer, Zolnikov.
Total 6

Voted Absentee: Harris, No.

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

HB 377 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B.

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Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 60

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.
Total 39

Voted Absentee: Harris, No.

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

HB 378 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 82

Nays: J. Bennett, Cook, Doane, Edmunds, Galt, Glimm, Hagstrom, Harris, Hollandsworth, Howard, Kerns, Mehlhoff, O'Neil, Osmundson, Randall, C. Smith, Zolnikov.
Total 17

Voted Absentee: Harris, No.

Excused: Berry.
Total 1

Absent or not voting: None.
Total 0

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HB 404 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Redfield, Schreiner, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 420 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 70

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Galt, Hagstrom, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 29

Voted Absentee: Harris, No.

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Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 454 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 35

Voted Absentee: Harris, No.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 472 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 77

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Nays: Boss Ribs, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McChesney, Mehlhoff, Pease-Lopez, Pomnichowski, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilson, Woods.

Total 22

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 509 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Clark, Doane, Edmunds, Galt, Ingraham, Kerns, McNiven, Miller, Randall, Redfield, Schwaderer, Zolnikov.

Total 12

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 559 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Harris, Ingraham, Kerns, O'Neil.

Total 4

Voted Absentee: Harris, No.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 565 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 57

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Hansen, Harris, Hoven, Howard, Kary, Kerns, Knudsen, Laszloffy, Lavin, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 42

Voted Absentee: Harris, No.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

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HB 575 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Kerns, O'Neil, Peppers, Price.

Total 4

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 582 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Pierson, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Flynn, Gursky, Harris, Hill, Hollenbaugh, Hunter, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Redfield, Schreiner, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Harris, No.

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Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 604 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 50

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 617 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Doane, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lieser, MacDonald, McCarthy, McChesney, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Wagoner, Warburton, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 68

Nays: Bangerter, Connell, Cuffe, Curtis, Dudik, Fitzpatrick, Gibson, Glimm, Harris, Hertz, Hollandsworth, Hollenbaugh, Jones, Kerns, Lavin, Lenz, Lynch, McClafferty, McNiven, O'Neil,

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Osmundson, Peppers, Pierson, Pomnichowski, Price, Squires, Vance, Washburn, Welborn, White, Whitford.

Total 31

Voted Absentee: Harris, No.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 625 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Doane, Edmunds, Howard, Kary, Kerns, Schwaderer.

Total 6

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

HB 627 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Gursky, Hansen, Howard, Jones, Kary, Kerns, McNiven, O'Neil, Schwaderer, C. Smith, Zolnikov.

Total 12

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: Cuffe.

Total 1

HB 630 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Greef, Gursky, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 45

Voted Absentee: Harris, No.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

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HB 633 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Hagan, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Knudsen, Lang, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 74

Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Galt, Gursky, Hagstrom, Halvorson, Hansen, Ingraham, Jones, Kerns, Laszloffy, Lavin, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, B. Smith, C. Smith, Wagoner, Welborn, White, Wilson.

Total 25

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

SB 19 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Flynn, Gursky, Halvorson, Hill, Hollenbaugh, Hunter, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Schreiner, B. Smith, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Voted Absentee: Harris, Aye.

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Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

SB 346 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Harris, Aye.

Excused: Berry.

Total 1

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McNiven in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 614 - Representative Vance moved consideration of **HB 614** be passed for the day. Motion Carried.

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HB 357 - Representative Hansen moved **HB 357** do pass. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 47

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 53

Voted Absentee: Harris, Aye; Berry, Eck, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 357 - Representative B. Bennett rose on a **Point of Personal Privilege** to emphasize that the numbers he used in his testimony on **HB 357** were updated and correct.

HB 443 - Representative Cook moved **HB 443** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lieser, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Price, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Mr. Speaker.

Total 58

Nays: Ballance, B. Bennett, Boss Ribs, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Greef, Gursky, Hill, Hollenbaugh, Hoven, Howard, Hunter, Laszloffy, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Regier, Schreiner, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilson, Woods, Zolnikov.

Total 42

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Voted Absentee: Berry, Harris, Aye; Eck, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 581 - Representative Hansen moved **HB 581** do pass.

HB 581 - Representative Redfield moved **HB 581**, second reading copy, be amended as follows:

1. Page 91.

Following: line 2

Insert: "COORDINATION SECTION. Section 66. Coordination instruction. (1) If both House Bill No. 153 and [this act] are passed and approved, then House Bill No. 153 is void.

(2) If both House Bill No. 213 and [this act] are passed and approved, then House Bill No. 213 is void.

(3) If both House Bill No. 444 and [this act] are passed and approved, then House Bill No. 444 is void.

(4) If both Senate Bill No. 81 and [this act] are passed and approved, then Senate Bill No. 81 is void."

Renumber: subsequent sections

Amendment adopted as follows:

Yeas: Ankney, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Clark, Coffin, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Galt, Gursky, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lynch, MacDonald, McCarthy, McClafferty, McNiven, Moore, Neill, Noonan, O'Neil, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 62

Nays: Ballance, Bangerter, J. Bennett, Brockie, Brodehl, Connell, Cuffe, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Hoven, Jacobson, Knudsen, Lavin, Lenz, Lieser, McChesney, McNally, Mehlhoff, Miller, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Reichner, Vance, Wagoner, Warburton, White, Wilmer.

Total 38

Voted Absentee: Berry, Eck, Harris, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 581 - Representative Hansen moved **HB 581**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 67

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilson, Woods.

Total 33

Voted Absentee: Berry, Harris, Aye; Eck, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 589 - Representative Jacobson moved **HB 589** do pass. Motion carried as follows:

Yeas: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Gursky, Hansen, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 53

Nays: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,

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McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.
Total 47

Voted Absentee: Eck, Aye; Berry, Harris, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 593 - Representative Wagoner moved **HB 593** do pass.

HB 593 - Representative Coffin moved **HB 593**, second reading copy, be amended as follows:

1. Page 4, line 19.

Strike: "rangeland"

Insert: "agricultural land"

2. Page 4, line 20.

Following: "pertinent"

Insert: "; and

(h) define "site-specific" and "pertinent"

Amendment adopted as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Ankney, Shaw, Welborn.
Total 3

Voted Absentee: Berry, Eck, Harris, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 593 - Representative Wagoner moved **HB 593**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Berry, Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 605 - Representative Schwaderer moved **HB 605** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 97

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Nays: Salomon, Zolnikov.

Total 2

Voted Absentee: Berry, Eck, Harris, Aye.

Excused: None.

Total 0

Absent or not voting: Hoven.

Total 1

HB 608 - Representative Cuffe moved **HB 608** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Brodehl, Cook, Edmunds, Flynn, Galt, Hagstrom, Harris, Hoven, Howard, Jones, Kary, Kerns, Lang, McCarthy, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Woods, Zolnikov.

Total 25

Voted Absentee: Berry, Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 626 - Representative Osmundson moved **HB 626** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Harris, Kerns.

Total 2

Voted Absentee: Berry, Eck, Aye; Harris, No.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McNiven moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brodehl, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Flynn, Gursky, McNiven, Miller, Pease-Lopez, Schwaderer, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Berry, Eck, Harris.

Total 3

Absent or not voting: Brockie, Clark, Connell, Randall.

Total 4

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MOTIONS

Majority Leader Vance moved **HB 581** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **HB 589** be moved from the Committee of the Whole to the Appropriations committee.

Representative Wilson moved to change her vote on **HB 604** from Yes to No. Without objection, so ordered.

Representative Pierson moved to change his vote on **HB 404** from No to Yes. Without objection, so ordered.

Representative Miller rose on a **Point of Order**, he questioned why **HB 589** was being reassigned to Appropriations, since it had been stated by Representative Jacobson that the fiscal note was possibly incorrect and there was no fiscal impact. Representative Ankney said that the updated fiscal note would be reviewed in Appropriations to make a final decision on assignment of the bill.

At the request of Senate President Essmann, Majority Leader Vance moved that Pursuant to Joint Rule 20-10, the Senate requested consent of the House for a recess of four calender days for the Easter holiday. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Gursky, Laszloffy, McNiven, Schwaderer, Zolnikov.

Total 5

Voted Absentee: None

Excused: Berry, Eck, Harris.

Total 3

Absent or not voting: Brockie, Coffin, McNally, O'Hara, Randall, C. Smith, Wagoner.

Total 7

HOUSE JOURNAL
SIXTY-SEVENTH LEGISLATIVE DAY - MARCH 28, 2013

SPECIAL ORDERS OF THE DAY

Representative McCarthy asked the House to acknowledge a young man who had and still is sacrificing greatly for our country. Each of the Legislators received a wristband on their desk embossed with the name of Sergeant Bowe Bergdahl. Sergeant Bergdahl is an Idaho soldier and March 28th was his 27th birthday. It is also his fourth birthday in captivity. On June 30, 2009, Sergeant Bergdahl went missing in the Paktika province in Afghanistan. A few days later, warlords allied with the Taliban released a video showing that they had captured Sergeant Bergdahl alive. Although there have been several attempts to negotiate his repatriation, none have been successful. Representative McCarthy asked the House to keep Sergeant Bergdahl in their thoughts as they went about their business today.

Representative Hagan also stated that Sergeant Bergdahl has Montana ties. His grandparents live outside of Kalispell and his family spends a great deal of time in Montana. Representative Hagan requested a moment of silence for the House to reflect on the gravity of this young man's situation and pray for strength and peace for Bowe's parents Bob and Jani and the rest of their family as they struggle with celebrating their son's fourth birthday in enemy hands.

Representative Pierson thanked the page for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, April 2, 2013. Motion carried.

House adjourned at 11:30 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 2, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Connell. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hagan and Pease-Lopez and Peppers, excused. Quorum present.

BILLS (O'Hara, Chair):

4/2/2013

Correctly printed: **HB 230, HB 393, HB 408, HB 591, HB 603, HB 614, HB 623, SB 94, SB 112, SB 127, SB 144, SB 183, SB 215, SB 217, SB 242, SB 250, SB 256.**

Correctly engrossed: **SB 56.**

Examined by the sponsor and found to be correct: **HB 283, HB 328, HB 402, HB 455, HB 462.**

Signed by the Speaker at 5:15 p.m., April 2, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462, HJR 1, HJR 3.**

Signed by the Chief Clerk of the House at 5:30 p.m., April 2, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462, HJR 1, HJR 3.**

Delivered to the Governor for approval at 1:42 p.m., April 2, 2013: **HB 7, HB 8, HB 22, HB 38, HB 65, HB 68, HB 72, HB 105, HB 194, HB 210, HB 291, HB 304, HB 314, HB 323, HB 335, HB 362, HB 385, HB 463, HB 562.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

4/2/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Thursday, March 28, 2013:

Colton Kreamer, Jefferson City
Mary-Hannah McGuffey, Superior
Morgan McLean, Lavina
Michaela Bell, Helena
Kiernan Gallagher, Anaconda
Julia Peterson, Anaconda
Delaney Campbell, Belgrade
Drew Gerber, Billings

and recommend that the following pages of the House be employed as of 1:00 p.m., Tuesday, April 2, 2013:

Shelly Bangerter, Helena
Sammy Ingraham, Lolo
McCaella Mitman, Florence

HOUSE JOURNAL
SIXTY-EIGHTH LEGISLATIVE DAY - APRIL 2, 2013

Taylor Preshinger, Helena
Eliza Reichner, Big Fork
Issac Reichner, Big Fork
Jacob Fisher, Helena

Report Adopted.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):
HB 230, do pass. Report adopted.
HB 393, do pass. Report adopted.
HB 408, do pass. Report adopted.

4/2/2013

TAXATION (Miller, Chair):
SB 56, be amended as follows:

3/26/2013

1. Page 1, line 21.

Strike: "FIRST" through "TUESDAY"

Insert: "second Monday"

2. Page 2, line 15.

Strike: "third" through "August"

Insert: "first Thursday after the first Tuesday in September"

3. Page 3, line 18.

Strike: "third" through "August"

Insert: "first Thursday after the first Tuesday in September"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

3/28/2013

HB 283, introduced by Wagoner
HB 328, introduced by Washburn
HB 402, introduced by Hunter

HB 455, introduced by Blyton
HB 462, introduced by D. Jones

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House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

3/28/2013

HB 71, introduced by MacDonald

Senate bills passed and transmitted to the House for concurrence:

3/28/2013

SB 178, introduced by Van Dyk

SB 375, introduced by Peterson

House amendments to Senate bills concurred in:

3/28/2013

SB 125, introduced by Olson

SB 165, introduced by Caferro

SB 185, introduced by Sesso

SB 224, introduced by Debby Barrett

SB 259, introduced by Arntzen

SB 316, introduced by Fielder

MESSAGES FROM THE GOVERNOR

March 28, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Thursday, March 28, 2013, I signed and delivered the following House bills to the Secretary of State:

House Bill 45 - Lavin

House Bill 136 - McClafferty

House Bill 172 - O'Hara

House Bill 270 - Schwaderer

House Bill 273 - McClafferty

House Bill 347 - Fitzpatrick

I am returning House Bill 131 - Gursky with amendments.

I have vetoed the following bills:

House Bill 27 - Washburn

House Bill 302 - Kerns

HOUSE JOURNAL
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Senate Bill 41 Buttrey

Sincerely,

STEVE BULLOCK
Governor

March 28, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 27 (HB 27), "AN ACT AUTHORIZING THE USE OF A SUPPRESSOR WHILE HUNTING CERTAIN LARGE PREDATORS; AMENDING SECTION 87~6~401, MCA; AND PROVIDING AN EFFECTIVE DATE."

Allowing the use of suppressed weapons for hunting was proposed in the 2009 and 2011 Montana legislative sessions. In both sessions, the legislation was defeated. I do not see the need for suppressed weapons for wolf hunting. I believe most Montanans would agree.

This legislature has already passed, and I have signed into law, HB 73, which substantially liberalized the methods by which wolves may be hunted in Montana. HB 73 allows hunters to obtain multiple wolf licenses, allows wolf hunters to use electronic calls and not wear orange when hunting wolves outside the general big game season, and reduces the price of a nonresident wolf license. That bill enjoyed overwhelming bipartisan support because these measures will facilitate a more effective wolf harvest, while maintaining Montana's time-honored traditions of fair-chase hunting.

HB 27 does not meet this critical threshold. Allowing suppressed weapons to hunt wolves will not provide a more effective wolf hunting season, or add significantly to overall wolf harvest.

Most hunters are very concerned about the future of hunting in Montana. They know how important it is to act responsibly to protect our hunting traditions through reverence for game animals, use of fair-chase methodology, and attention to maintaining a respectful public image.

Hunting with suppressed weapons has negative connotations that warrant serious consideration in the face of attempts by anti-hunters to portray hunting in a negative light.

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From a law enforcement perspective, suppressors represent a challenge to peace officers as they attempt to ensure compliance with both state law and rules set by property owners. Enforcing fish and game laws is a demanding job. We should not make a game warden's job that much more difficult by allowing a situation in which he or she cannot readily identify or locate the full sound of rifle shots in the field because of the use of a suppressed weapon by an individual who could have less than lawful intentions.

Property owners across Montana deserve the same consideration, as they endeavor to be good neighbors by allowing hunters access to their land. I believe most landowners prefer to hear the full discharge of a firearm when hunters or others with firearms are on or near their property. For these reasons, I respectfully ask for your support in sustaining my veto.

Sincerely,

STEVE BULLOCK
Governor

March 28, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 131 (HB 131), "AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO SHARE LIMITED INFORMATION ABOUT AN INVESTIGATION INTO A REPORT OF CHILD ABUSE OR NEGLECT WITH A MANDATORY REPORTER WHO MADE A REQUIRED REPORT OF ALLEGED CHILD ABUSE OR NEGLECT OR INDIVIDUALS DESIGNATED BY THE MANDATORY REPORTER; AND AMENDING SECTIONS 41-3-201 AND 41-3-205, MCA.

House Bill 131 authorizes the Department of Public Health and Human Services to release certain information concerning the status of child abuse or neglect investigations to mandatory reporters or their designees. SB 65, signed into law on March 1, 2013, revised some of the same sections of code at issue in HB 131. Pursuant to SB 65, the Department may release certain limited information concerning the status of child abuse or neglect investigations to a broader category of reporters of child abuse or neglect, including mandatory reporters. These bills were not reconciled during the legislative process.

I support the intent of both of these bills. My amendments reconcile HB 131 with SB 65, maintaining the disclosure requirements of SB 65 while providing for the more specific information disclosed to mandatory reporters under HB 131.

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I respectfully ask for your support of these amendments.

Sincerely,

STEVE BULLOCK
Governor

Report No. 001, April 3, 2013

Governor's recommendations for amendments to **House Bill 131** (reference copy -- salmon) are as follows:

1. Page 2, line 17 through line 20.

Strike: "REGARDING:" on line 17 through "(III)" on line 20

Insert: "in accordance with 41-3-202(8)[as amended by Ch. 61, L. 2013] and also share"

2. Page 4, line 9.

Following: "parent,"

Insert: "grandparent, aunt, uncle, brother, sister,"

Following: "guardian,"

Insert: "mandatory reporter provided for in 41-3-201(2) and (5),"

3. Page 5, line 29 through line 30.

Strike: subsection (aa) in its entirety

March 28, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 302 (HB 302), "AN ACT PROHIBITING THE ENFORCEMENT OF A POTENTIAL FEDERAL BAN ON SEMIAUTOMATIC WEAPONS AND LARGE MAGAZINES; PROVIDING PENAL TIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

House Bill 302 puts law enforcement in the position of violating laws they have sworn to uphold. When public safety officers graduate from the Montana Law Enforcement Academy, they take an

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oath to "enforce or apply all laws and regulations appropriately, courteously, and responsibly" and also to "work in unison with all legally authorized agencies and their representatives in the pursuit of justice." HB 302 would subject our peace officers to criminal sanctions for upholding the oath we ask that they take.

Further, HB 302 is unnecessary. To date, there has been no action in Congress to enact a ban on semiautomatic weapons. Moreover, recent news reports have indicated that a majority of Congress does not support such legislation.

I am and always have been a staunch supporter of our Second Amendment rights. We have a strong tradition in Montana of gun ownership, hunting and participation in shooting sports. I believe that is an important tradition to preserve. As Attorney General, I fought to protect Montanans' right to keep and bear arms, and as Governor, I will not hesitate to stand up to the federal government or anyone else who attempts to infringe on those rights. However, this bill is unnecessary political theater and would not meaningfully protect our Second Amendment rights.

Because HB 302 is unnecessary and puts law enforcement in a position of potentially violating federal law, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

March 29, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Friday, March 29, 2013, I signed and delivered the following House bills to the Secretary of State:

House Bill 367 - McNiven
House Bill 422 - Blyton

I have vetoed the following bill:
Senate Bill 12 - Lewis

Sincerely,

STEVE BULLOCK
Governor

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April 1, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Monday, April 1, I signed the following House bills:

House Bill 163 - Flynn
House Bill 245 - Edmunds
House Bill 325 - Regier

House Bill 360 - White

These bills were delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 178, introduced by Van Dyk, Facey, Hamlett, Peterson, Ripley, Welborn, referred to Fish, Wildlife and Parks.

SB 299, introduced by F. Moore, referred to Agriculture.

SB 375, introduced by Peterson, Ankney, Dick Barrett, Berry, T. Brown, Cook, Driscoll, Facey, Hamlett, Hollandsworth, L. Jones, Keane, Larsen, Lewis, Olson, Phillips, Sesso, Tutvedt, Vuckovich, Windy Boy, referred to Judiciary.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 21, introduced by Caferro, Ankney, Facey, Hagan, Harris, Hunter, Jent, Keane, Lynch, McChesney, O'Hara, referred to State Administration.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Cuffe in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 591 - Representative Osmundson moved **HB 591** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 80

Nays: J. Bennett, Brockie, Clark, Doane, Flynn, Galt, Hansen, Hoven, Kerns, McNiven, Miller, O'Neil, Randall, Schwaderer, C. Smith, Wagoner, Warburton, Welborn, White, Zolnikov.
Total 20

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 603 - Representative Zolnikov moved **HB 603** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson,

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Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Greef, Hoven, Howard, Lavin, Moore, O'Hara, Welborn.

Total 7

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 614 - Representative Berry moved **HB 614** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

Nays: J. Bennett, Doane, Edmunds, Fiscus, Harris, Jones, Kerns, McCarthy, Miller, O'Neil, Osmundson, Redfield, Schwaderer, Wagoner, Zolnikov.

Total 15

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 623 - Representative Bangerter moved **HB 623** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson,

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Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Hagan, Aye; Pease-Lopez, Peppers, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 94 - Representative Laszloffy moved **SB 94** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Brockie, Brodehl, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 78

Nays: Berry, Boland, Boss Ribs, Clark, Cook, Court, Lang, Lynch, McClafferty, Mehlhoff, Moore, Pierson, Pomnichowski, Price, Salomon, Squires, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 22

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 112 - Representative Schwaderer moved **SB 112** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 80

Nays: Ballance, J. Bennett, Brodehl, Cook, Edmunds, Fitzpatrick, Galt, Glimm, Hagstrom, Jones, Kerns, Miller, O'Neil, Randall, Redfield, Regier, Reichner, C. Smith, Vance, White.
Total 20

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 127 - Representative Curtis moved **SB 127** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Fiscus, McCarthy, Miller, Moore, Redfield, Salomon, Williams.
Total 7

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

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Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

SB 144 - Representative Randall moved **SB 144** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 183 - Representative Welborn moved **SB 183** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.
Total 0

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 215 - Representative Randall moved **SB 215** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Cook.
Total 1

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 217 - Representative Connell moved **SB 217** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner,

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Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McClafferty, McNally, Neill, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 34

Voted Absentee: Hagan, Aye; Pease-Lopez, Peppers, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 242 - Representative Shaw moved **SB 242** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 98

Nays: Kerns, Zolnikov.

Total 2

Voted Absentee: Hagan, Pease-Lopez, Peppers, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 250 - Representative Clark moved **SB 250** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Williams, Wilmer, Wilson, Woods.
Total 39

Voted Absentee: Hagan, Aye; Pease-Lopez, Peppers, No.

Excused: None.
Total 0

Absent or not voting: Whitford.
Total 1

SB 256 - Representative Redfield moved **SB 256** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 43

Voted Absentee: Hagan, Aye; Pease-Lopez, Peppers, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Cuffe moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Curtis, Lynch, MacDonald, McCarthy, McClafferty, Noonan, B. Smith, Squires, Swanson, Woods.

Total 11

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.

Total 3

Absent or not voting: Whitford.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 443 failed as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Hansen, Hertz, Hollandsworth, Ingraham, Kerns, Knudsen, Lang, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Redfield, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Mr. Speaker.

Total 46

Nays: Ballance, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Greef, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pierson, Pomnichowski, Price, Randall, Regier, Schreiner, B. Smith, Squires,

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Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 51

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.
Total 3

Absent or not voting: None.
Total 0

HB 593 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Lieser, Pomnichowski.
Total 2

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.
Total 3

Absent or not voting: None.
Total 0

HB 605 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier,

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Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Boss Ribs, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.

Total 3

Absent or not voting: None.

Total 0

HB 608 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pierson, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 67

Nays: Ballance, J. Bennett, Berry, Brockie, Brodehl, Edmunds, Fitzpatrick, Flynn, Galt, Hagstrom, Harris, Hoven, Howard, Jones, Kary, Kerns, Lang, MacDonald, McCarthy, McNiven, Miller, O'Neil, Pomnichowski, Randall, Redfield, Regier, C. Smith, Wagoner, Woods, Zolnikov.

Total 30

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.

Total 3

Absent or not voting: None.

Total 0

HB 626 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom,

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Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Kerns, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Hagan, Pease-Lopez, Peppers.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Representative Hunter moved that **HB 590** be taken from Human Services and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 52

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 44

Voted Absentee: None.

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Excused: Hagan, Pease-Lopez, Peppers.

Total 3

Absent or not voting: Harris.

Total 1

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Representative Vance moved that the House adjourn until 1:00 p.m., Wednesday, April 3, 2013. Motion carried.

House adjourned at 3:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SIXTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 3, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Gursky. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Pease-Lopez, excused. Quorum present.

BILLS (O'Hara, Chair):

4/3/2013

Correctly printed: **HB 213, HB 443, HB 359, HB 581, HB 589, HB 619, HB 631, HB 635, HJR 21, HR 5, SB 147, SB 200, SB 305, SB 323, SB 324, SJR 18.**

Correctly engrossed: **HB 14, HB 423, HB 521, HB 634, HB 637, SB 269, SB 335.**

Correctly enrolled: **HB 127, HB 170, HB 359, HB 388, HB 451, HB 502.**

Examined by the sponsor and found to be correct: **HB 127, HB 170, HB 359, HB 388, HB 451, HB 502.**

Transmitted to the Senate: **HB 593, HB 605, HB 608, HB 626.**

Signed by the President at 11:20 a.m., April 3, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462, HJR 1, HJR 3.**

Delivered to the Governor for approval at 11:39 a.m., April 3, 2013: **HB 283, HB 328, HB 374, HB 402, HB 455, HB 462.**

Delivered to the Secretary of State at 1:30 p.m., April 3, 2013: **HJR 1, HJR 3.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/2/2013

HB 14, introduced bill, be amended as follows:

1. Title, page 1, line 7.

Strike: "FOR JOBS AND OPPORTUNITY BY BUILDING SCHOOLS AND OTHER FACILITIES"

2. Title, page 1, line 8 through line 9.

Strike: "AUTHORIZING" on line 8 through "PROJECTS;" on line 9

3. Page 1, line 14.

Strike: "9"

Insert: "4"

4. Page 1, line 17.

Following: "furnishing,"

Strike: "or"

Following: "projects"

Strike: remainder of line 17

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Insert: ", or projects to implement tribal compacts."

5. Page 1, line 23.

Following: the first "of"

Strike: "administration"

Insert: "natural resources and conservation"

Strike: "4"

Insert: "3"

6. Page 1, line 25 through page 2, line 3.

Strike: line 25 on page 1 through line 3 on page 2 in their entirety

Insert: "(1) \$3 million to be deposited in the Peoples Creek minimum flow account provided for in 85-20-1007 for implementation of the Fort Belknap Indian Community-Montana water rights compact;

(2) \$14 million to be deposited in the Blackfeet Tribe water rights compact infrastructure account provided for in 85-20-1505 for water-related infrastructure projects within exterior boundaries of the Blackfeet Indian reservation as provided for in 85-20-1505."

7. Page 2, line 5 through line 21.

Strike: section 3 in its entirety

Renumber: subsequent sections

8. Page 2, line 24.

Strike: "\$75.5"

Insert: "\$17"

9. Page 3, line 3 through page 4, line 2.

Strike: section 5 through section 8 in their entirety

Renumber: subsequent sections

10. Page 4, line 4.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

11. Page 4, line 5.

Strike: "[sections 2 and 3]"

Insert: "[section 2]"

12. Page 4, line 8.

Following: "COORDINATION."

Strike: "IF THE"

Insert: "Excluding the capital projects to implement tribal compacts, if the unassigned and unencumbered"

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13. Page 4, line 9.

Following: "FOR"

Insert: "the fiscal year ending"

Following: "BY THE"

Strike: "STATE ACCOUNTANT"

Insert: "department of administration, accounting division,"

14. Page 4, line 10.

Strike: "\$150"

Insert: "\$466"

Strike: "[SECTION 4],"

Insert: "[section 3], there is an appropriation from the general fund in fiscal year 2014 for the amount of"

15. Page 4, line 11.

Following: "[THIS ACT]"

Strike: remainder of line 11

16. Page 4, line 12.

Following: "AND"

Strike: "ALL"

Insert: "the"

Following: "IS"

Strike: "VOID"

Insert: "reduced to the amount of the bonds for capital projects to implement tribal compacts"

17. Page 4, line 14 through line 18.

Strike: section 11 in its entirety

Renumber: subsequent sections

18. Page 4, line 20.

Strike: "4"

Insert: "3"

And, as amended, do pass. Report adopted.

APPROPRIATIONS (Ankney, Chair):

4/3/2013

HB 581, do pass. Report adopted.

HB 589, do pass. Report adopted.

HB 637, introduced bill, be amended as follows:

1. Page 2.

Following: line 18

Insert: "COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 377 and [this act] are passed and approved, then [section 20] of House Bill No. 377

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amending 20-9-622 is void and 20-9-622 must be amended as follows:

"20-9-622. Guarantee account. (1) There is a guarantee account in the state special revenue fund. The guarantee account is intended to:

(a) stabilize the long-term growth of the permanent fund; and
(b) maintain a constant and increasing distributable revenue stream. All realized capital gains and all distributable revenue must be deposited in the guarantee account.

(2) Except as provided in subsection ~~(2)~~ (3), the guarantee account is statutorily appropriated, as provided in 17-7-502, for distribution to school districts through school equalization aid as provided in 20-9-343.

~~(2)(3)(a) As long as a portion of the coal severance tax loan authorized in section 8, Chapter 418, Laws of 2001, is outstanding, the department of natural resources and conservation shall monthly transfer from the guarantee account to the general fund an amount that represents the amount of interest income that would be earned from the investment of the amount of the loan that is currently outstanding. When the loan is fully paid, all mineral royalties deposited in the guarantee account must be transferred to the school facility and technology account pursuant to 17-6-340. An amount equal to \$25 million minus the amount of lottery net revenue transferred to the pension accumulation account pursuant to 23-7-402(3) each fiscal year is statutorily appropriated, as provided in 17-7-502, to the teachers' retirement system established pursuant to 19-20-102.~~

(b) Amounts deposited to the guarantee account must be paid to the teachers' retirement system as soon as feasible after the deposits are made until the full amount provided for in subsection (3)(a) is paid and prior to any distribution to the school districts under subsection (2)."

Renumber: subsequent section

And, as amended, do pass. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair):

4/2/2013

SB 200, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

4/3/2013

HB 521, introduced bill, be amended as follows:

1. Page 11, line 3 through line 4.

Strike: "the consent" on line 3 through "younger." on line 4

Insert: "on Legislative Referendum No. ____"

2. Page 11, line 5 through line 6.

Strike: "the consent" on line 5 through "younger." on line 6

Insert: "on Legislative Referendum No. ____"

And, as amended, do pass. Report adopted.

HB 619, do pass. Report adopted.

HB 631, do pass. Report adopted.

HR 5, do pass. Report adopted.

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LOCAL GOVERNMENT (Bangerter, Chair): 4/2/2013
SB 147, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 4/3/2013
HJR 21, do pass. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/2/2013

HB 127, introduced by Berry
HB 170, introduced by Galt
HB 359, introduced by Fitzpatrick
HB 388, introduced by Cuffe
HB 451, introduced by Galt
HB 502, introduced by Brodehl

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/2013

HB 106, introduced by Connell
HB 189, introduced by Lenz
HB 217, introduced by Howard
HB 256, introduced by Hoven
HB 297, introduced by Howard
HB 508, introduced by Edmunds
HB 513, introduced by McChesney

House joint resolution concurred in as amended and returned to the House for concurrence in Senate amendments: 4/2/2013

HJR 9, introduced by McNiven

House bills not concurred in and returned to the House: 4/2/2013

HB 251, introduced by Ingraham
HB 296, introduced by Ingraham

House amendments to Senate bills not concurred in and returned to the House: 4/2/2013

SB 26, introduced by Jergeson
SB 133, introduced by Rosendale
SB 148, introduced by L. Jones

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MESSAGES FROM THE GOVERNOR

April 2, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Speaker Blasdel:

Please be informed that on April 2, 2013, I signed the following House Bill:

House Bill 140 - Berry
on April 2, 2013.

The following bill was returned to the Secretary of State without signature:

House Bill 371 - Ingraham

Sincerely,

STEVE BULLOCK
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Greef in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 213 - Representative Fitzpatrick moved **HB 213** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

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Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 43

Excused: None.
Total 0

Voted Absentee: Pease-Lopez, No.

Absent or not voting: Zolnikov.
Total 1

HB 217 - Senate Amendments - Representative Howard moved Senate amendments to **HB 217** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.
Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.
Total 31

Voted Absentee: Pease-Lopez, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 423 - Representative C. Smith moved **HB 423** do pass.

HB 423 - Representative C. Smith moved **HB 423**, second reading copy, be amended as follows:

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1. Page 2, line 9.

Strike: "each"

Insert: "that"

Amendment adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 80

Nays: Ankney, B. Bennett, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Hill, Hollenbaugh, Jacobson, Lynch, McClafferty, Neill, Noonan, Peppers, Schreiner, Swanson, Whitford, Wilson.

Total 20

Excused: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Absent or not voting: None.

Total 0

HB 423 - Representative C. Smith moved **HB 423**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

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Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 634 - Representative Wagoner moved **HB 634**, as amended, do pass.

HB 634 - Representative Wagoner moved **HB 634**, second reading copy, be amended as follows:

1. Page 2, line 24 through line 26.

Strike: "the county" on line 24 through "Approval" on line 26

Insert: "the approval"

2. Page 3, line 2.

Strike: "the transition" through "subsection (8)"

Insert: "expansion into a K-12 district"

3. Page 3, line 2 through line 3.

Strike: "by a" on line 2 through "the election" on line 3

Insert: "under the procedure provided in subsection (2)"

4. Page 3, line 4.

Following: "amount of the"

Insert: "transition"

5. Page 3, line 23.

Following: "enter into"

Insert: "negotiations for"

6. Page 4, line 1.

Strike: "required"

Insert: "provided"

7. Page 4, line 2.

Strike: "the agreement must be referred"

Insert: "the affected school districts shall submit their proposals"

8. Page 4, line 3.

Strike: "referral"

Insert: "submission"

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Strike: "multidistrict cooperative agreement"

Insert: "proposals"

9. Page 4, line 10.

Strike: "the multidistrict cooperative agreement"

Insert: "their proposal's"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 84

Nays: B. Bennett, Boland, Curtis, Dudik, Eck, Hill, Lynch, McClafferty, Mehlhoff, Noonan, Pomnichowski, Price, B. Smith, Steenberg, Whitford, Woods.

Total 16

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Wagoner moved to reconsider action on **Amendment HB 634-001**.

Motion **passed** as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith,

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C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 634 - Representative Wagoner moved **HB 634**, second reading copy, be further amended as follows:

1. Page 2, line 24 through line 26.

Strike: "the county" on line 24 through "Approval" on line 26

Insert: "the approval"

2. Page 3, line 2.

Strike: "the transition" through "subsection (8)"

Insert: "expansion into a K-12 district"

3. Page 3, line 2 through line 3.

Strike: "by a" on line 2 through "the election" on line 3

Insert: "under the procedure provided in subsection (2)"

4. Page 3, line 4.

Following: "amount of the"

Insert: "transition"

5. Page 3, line 23.

Following: "enter into"

Insert: "negotiations for"

6. Page 4, line 1.

Strike: "required"

Insert: "provided"

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7. Page 4, line 2.

Strike: "the agreement must be referred"

Insert: "the affected school districts shall submit their proposals"

8. Page 4, line 3.

Strike: "referral"

Insert: "submission"

Strike: "multidistrict cooperative agreement"

Insert: "proposals"

9. Page 4, line 10.

Strike: "the multidistrict cooperative agreement's"

Insert: "their proposal's"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Curtis, Dudik, Eck, Hill, Lynch, McChesney, McClafferty, Mehlhoff, Noonan, Pierson, Price, B. Smith, Williams.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

HB 634 - Representative Wagoner moved **HB 634**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Court, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, White, Woods, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Curtis, Doane, Dudik, Eck, Flynn, Gursky, Hertz, Hill, Jacobson, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, B. Smith, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson.

Total 36

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 635 - Representative Shaw moved **HB 635** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, O'Hara, O'Neil, Osmundson, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Woods, Mr. Speaker.

Total 58

Nays: Bangerter, J. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Doane, Dudik, Eck, Fiscus, Galt, Ingraham, Jones, Knudsen, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Squires, Warburton, White, Williams, Wilmer, Wilson, Zolnikov.

Total 42

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 269 - Representative Hollandsworth moved **SB 269** be concurred in.

SB 269 - Representative Cook moved **SB 269**, second reading copy, be amended as follows:

1. Page 1, line 26.

Strike: "second year of the biennium"

Insert: "current fiscal year"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 269 - Representative Hollandsworth moved **SB 269**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: Curtis.

Total 1

SB 305 - Representative Lang moved **SB 305** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 - Representative Reichner moved **SB 323** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson,

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Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: J. Bennett, Ingraham, Kerns, B. Smith.

Total 4

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 324 - Representative Fitzpatrick moved **SB 324** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Voted Absentee: Pease-Lopez, Aye.

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Kerns.

Total 1

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SB 335 - Representative Connell moved **SB 335** be concurred in.

SB 335 - Representative Connell moved **SB 335**, second reading copy, be amended as follows:

1. Title, line 5.

Following: "RIGHT"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 28 through line 30.

Strike: subsection (5) in its entirety

Insert: "(5) The landowner may present evidence showing that the removal is not necessary for the water right owner to exercise the right or that the provisions of subsection (4) could not be met if the removal is permitted.

(6) The court shall determine if the removal of the natural obstruction:

(a) is necessary for the water right owner to exercise the right; and

(b) would meet the provisions of subsection (4).

(7) If the court permits the removal, the court may require any conditions to ensure that the provisions of subsection (4) are met.

(8) The court may award court costs and attorney fees."

Renumber: subsequent subsection

3. Page 2, line 1 through line 2.

Strike: "If the landowner" on line 1 through "conditions." on line 2

4. Page 2, line 7.

Insert: "NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval."

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

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Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 335 - Representative Connell moved **SB 335**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Pease-Lopez, Aye.

Excused: None.

Total 0

Absent or not voting: J. Bennett.

Total 1

SJR 18 - Representative Halvorson moved **SJR 18** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Pease-Lopez, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Greef moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Lynch, McClafferty, Miller, Neill, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods.

Total 27

Voted Absentee: None

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 230 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 393 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNally, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: None.

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Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 408 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.

Total 33

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 591 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

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Nays: J. Bennett, Doane, Fitzpatrick, Flynn, Galt, Hoven, Kerns, McNiven, Miller, O'Neil, Randall, Schwaderer, Squires, Warburton, Welborn, White, Zolnikov.
Total 17

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 603 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: Fitzpatrick, Greef, Hoven, Howard, Lavin, O'Hara, Peppers, Shaw, Welborn.
Total 9

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: None.
Total 0

HB 614 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers,

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Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

Nays: Doane, Edmunds, Fiscus, Jones, Kerns, McCarthy, Miller, O'Neil, Redfield, Schwaderer, Wagoner, Zolnikov.

Total 12

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

HB 623 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 94 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brodehl, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn,

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Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Miller, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 78

Nays: Boss Ribs, Brockie, Clark, Cook, Court, Lang, Lynch, McClafferty, Mehlhoff, Moore, Noonan, Peppers, Pierson, Pomnichowski, Price, Salomon, Squires, Whitford, Williams, Wilson, Woods.

Total 21

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 112 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Brodehl, Cook, Cuffe, Edmunds, Fitzpatrick, Galt, Glimm, Hagstrom, Jones, Kerns, Miller, O'Neil, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Welborn, White.

Total 22

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Halvorson.

Total 1

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SB 127 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: McCarthy, Miller, Moore, Pomnichowski, Redfield, Williams, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 144 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Pease-Lopez.

Total 1

Absent or not voting: Squires.

Total 1

SB 183 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Ehli.

Total 1

SB 215 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

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Nays: Cook.

Total 1

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 217 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Pomnichowski, Price, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 242 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller,

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Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Kerns, Zolnikov.

Total 2

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

SB 250 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: None.

Total 0

Majority Leader Vance moved **SB 256** be removed from Third Reading. Motion carried.

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MOTIONS

Majority Leader Vance moved **HB 256** be moved from the Committee of the Whole to the Appropriations committee.

Representative Squires moved to change her vote on **HB 483** from Yes to No. Without objection, so ordered.

Representative McNally moved to change her vote on **HB 230** from Not Voting to No. Without objection, so ordered.

Representative Cook moved to reconsider action on **HB 443** and that **HB 443** be placed on Third reading on Thursday, April 4, 2013.

Motion **passed** as follows:

Yeas: Bangerter, J. Bennett, Berry, Boland, Clark, Connell, Cook, Curtis, Doane, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Knudsen, Lang, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Mr. Speaker.
Total 58

Nays: Ankney, Ballance, B. Bennett, Blyton, Boss Ribs, Brockie, Brodehl, Coffin, Court, Cuffe, Dudik, Eck, Edmunds, Ehli, Greef, Gursky, Hagstrom, Halvorson, Hill, Hoven, Howard, Jones, Kary, Laszloffy, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Price, Randall, Regier, Schreiner, Squires, Steenberg, Wilmer, Wilson, Woods, Zolnikov.
Total 40

Voted Absentee: None.

Excused: Pease-Lopez.
Total 1

Absent or not voting: Harris.
Total 1

Representative Williams moved that **HB 629** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally,

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Mehlhoff, Neill, Noonan, O'Hara, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 47

Voted Absentee: None.

Excused: Pease-Lopez.

Total 1

Absent or not voting: Gibson.

Total 1

Representative Bangerter made a motion that the House continue to require a donation to charity whenever a Representative moved to change their vote on a bill. The Speaker and House Minority Leader will pick the charity and Representative Bangerter will collect the money. Motion carried.

SPECIAL ORDERS OF THE DAY

Representative Reichner rose to announce that the April 2, 2013, Charity Basketball Game - House versus Senate, was won by the House for the third session in a row.

Representative Reichner thanked the following people:

- Former Representative Gordon Hendrick for coaching.
- Representative Pierson for gathering money during each days session.
- Speaker Blasdel and Representative Pierson for the donation of a meal which raised an additional \$600.
- Representative McClafferty and Representative Clark for coordinating the T-Shirts.
- Representative McNiven for heading up the practices.

Representative Reichner asked that all of the team members stand to be recognized. A record donation of \$7,100 was raised by the House on behalf of the Big Brothers and Big Sisters of Montana.

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MOTIONS

Representative Reichner moved that the Speaker assign a committee of Legislators to go to the Senate for the purpose of displaying the Basketball trophy. Mr. Speaker allowed any team members who wished to accompany Representative Reichner to the Senate to do so. Motion Carried

The House stood at ease awaiting the return of the ball players.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, April 4, 2013. Motion carried.

House adjourned at 4:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTIETH LEGISLATIVE DAY**

Helena, Montana
April 4, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Jerry Bennett. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Halvorson and Osmundson, excused. Quorum present.

BILLS (O'Hara, Chair): 4/4/2013

Correctly printed: **HB 14, HB 496, HB 521, HB 619, HB 637, HJR 20, HJR 24, SB 31, SB 43, SB 88, SB 154, SB 223, SB 236, SB 278, SB 294, SB 302, SB 351, SB 357, SJR 15.**

Correctly engrossed: **HB 631, SB 256, SB 288, SB 297, SB 336, SB 347.**

Correctly enrolled: **HB 66, HB 84, HB 124, HB 217, HB 465.**

Transmitted to the Senate: **HB 230, HB 393, HB 408, HB 591, HB 603, HB 614, HB 623, SB 94, SB 112, SB 127, SB 144, SB 183, SB 215, SB 217, SB 242, SB 250.**

Signed by the Speaker at 3:20 p.m., April 4, 2013: **HB 127, HB 170, HB 388.**

Signed by the Speaker at 3:25 p.m., April 4, 2013: **HB 451, HB 502.**

Signed by the Chief Clerk of the House at 3:52 p.m., April 4, 2013: **HB 127, HB 170, HB 388, HB 451, HB 502.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, and sixtieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 4/3/2013

SB 154, be concurred in. Report adopted.

SB 223, be concurred in. Report adopted.

SB 275, be concurred in. Report adopted.

APPROPRIATIONS (Ankney, Chair): 4/4/2013

SB 43, be concurred in. Report adopted.

SB 236, be concurred in. Report adopted.

SB 256, be amended as follows:

1. Title, page 1, line 7.

Following: "BY"

Insert: "CERTAIN"

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2. Title, page 1, line 9.

Following: "ESCAPES;"

Insert: "PROVIDING AN APPROPRIATION;"

3. Title, page 1, line 10.

Strike: "AND"

Following: "MCA"

Insert: "; AND PROVIDING AN EFFECTIVE DATE"

4. Page 3, line 14.

Following: "(7)"

Insert: "(a)"

Strike: "The"

Insert: "Except as provided in subsection (7)(b), the"

5. Page 3.

Following: line 17

Insert: "(b) Subsection (7)(a) does not apply to wild buffalo or bison entering the state of Montana from Yellowstone national park or bison that are owned by tribal entities."

6. Page 5, line 30.

Following: "(7)"

Insert: "(a)"

Strike: "The"

Insert: "Except as provided in subsection (7)(b), the"

7. Page 6.

Following: line 3

Insert: "(b) Subsection (7)(a) does not apply to wild buffalo or bison entering the state of Montana from Yellowstone national park or bison that are owned by tribal entities."

8. Page 6.

Following: line 7

Insert: "NEW SECTION. **Section 3. Appropriation.** In each year of the biennium beginning July 1, 2013, there is appropriated to the department of fish, wildlife, and parks \$20,000 from the state general fund for the payment of costs incurred and damage caused to private property by wild buffalo or bison pursuant to 87-1-216(7)."

Insert: "NEW SECTION. **Section 4. Effective date.** [This act] is effective July 1, 2013."

And, as amended, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

4/4/2013

SB 294, be concurred in. Report adopted.

SB 357, be concurred in. Report adopted.

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EDUCATION (Hansen, Chair):

4/3/2013

SB 302, be concurred in. Report adopted.

FEDERAL RELATIONS, ENERGY, AND TELECOMMUNICATIONS (Regier, Chair): 4/3/2013

SB 288, be amended as follows:

1. Title, page 1, line 6 through line 7.

Strike: "STATE" on line 6 through "USE" on line 7

Insert: "CONDEMNOR"

2. Title, page 1, line 10.

Strike: "70-30-102, 70-30-104,"

3. Page 1, line 17.

Strike: "state or its agents"

Insert: "condemnor"

4. Page 2, line 6.

Strike: "state or its agents"

Insert: "condemnor"

5. Page 2, line 10.

Strike: "state or its agents"

Insert: "condemnor's"

6. Page 2, line 11.

Strike: "state or its agents"

Insert: "condemnor's"

7. Page 2, line 14.

Strike: "state or its agents"

Insert: "condemnor"

8. Page 2, line 17.

Strike: "state or its agents"

Insert: "condemnor"

9. Page 2, line 19.

Strike: "state or its agents"

Insert: "condemnor's"

10. Page 2, line 21.

Strike: "state or its agents"

Insert: "condemnor's"

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11. Page 2, line 21 through line 22.

Strike: the second "state" on line 21 through "agents" on line 22

Insert: "condemnor"

12. Page 2, line 23.

Strike: "state or its agents provide"

Insert: "condemnor provides"

13. Page 2, line 26.

Strike: "state or its agents believe"

Insert: "condemnor believes"

14. Page 2, line 27.

Strike: "state or its agents"

Insert: "condemnor"

15. Page 2, line 29.

Strike: "state or its agents"

Insert: "condemnor's"

16. Page 2, line 30.

Strike: "state or its agents"

Insert: "condemnor's"

17. Page 3, line 1.

Strike: "state or its agents"

Insert: "condemnor"

18. Page 3, line 3.

Strike: "state or its agents"

Insert: "condemnor"

19. Page 3, line 6.

Strike: "state or its agents"

Insert: "condemnor"

20. Page 3, line 7.

Strike: "state or its agents"

Insert: "condemnor"

21. Page 3, line 10.

Strike: "state or its agents"

Insert: "condemnor"

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22. Page 3, line 14.

Strike: "state or its agents"

Insert: "condemnor"

23. Page 3, line 16.

Strike: "state or its agents"

Insert: "condemnor"

24. Page 3, line 18.

Strike: "state or its agents"

Insert: "condemnor"

25. Page 3, line 21.

Strike: "state or its agents"

Insert: "condemnor"

26. Page 3.

Following: line 30

Insert: "(3) "Condemnor" means an entity able to take private property in accordance with this chapter for a public use enumerated in 70-30-102. An entity may otherwise be delegated the power of eminent domain in statute for a public use enumerated in 70-30-102."

Renumber: subsequent subsections

27. Page 4, line 1 through 2.

Strike: "the state" on line 1 through "use" on line 2

Insert: "a condemnor"

28. Page 4, line 3 through line 5.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

29. Page 4, line 8 through page 7, line 28.

Strike: section 4 through section 5 in their entirety

Renumber: subsequent sections

30. Page 8, line 2.

Strike: "state or its agents"

31. Page 8, line 3.

Strike: "state or its agent"

Insert: "condemnor"

32. Page 8, line 23.

Strike: "state or its agents"

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Following: ~~"use"~~

Insert: "condemnor"

33. Page 8, line 26.

Strike: "state or its agents"

Following: ~~"use"~~

Insert: "condemnor"

34. Page 8, line 29.

Strike: "state or its agents"

Insert: "condemnor"

35. Page 9, line 1.

Strike: "state or its agents"

Insert: "condemnor"

36. Page 9, line 4.

Strike: "state or its agents"

Insert: "condemnor"

37. Page 9, line 11.

Strike: "state or its agents"

Insert: "condemnor"

38. Page 9, line 19.

Strike: "state or its agents"

Insert: "condemnor"

39. Page 13, line 1 through page 16, line 20.

Strike: section 12 through section 13 in their entirety

Renumber: subsequent sections

40. Page 16.

Following: line 20

Insert: "COORDINATION SECTION. Section 10. Coordination instruction. If House Bill No. 417 and [this act] are passed and approved and if both contain a section that amends 70-30-111, then the sections amending 70-30-111 are void and 70-30-111 must be amended as follows:

"70-30-111. Facts necessary to be found before condemnation. (1) Before property ~~can~~ may be taken, the condemnor shall show by a preponderance of the evidence that the public interest requires the taking based on the following findings:

(1)(a) the use to which the property is to be applied is a public use pursuant to 70-30-102;

(2)(b) the taking is necessary to the public use;

(3)(c) if already being used for a public use, that the public use for which the property is proposed to be used is a more necessary public use;

(4)(d) an effort to obtain the property interest sought to be taken was made by submission

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of a final written offer prior to initiating condemnation proceedings and in accordance with [section 2 of Senate Bill No. 288] and the final written offer was:

(i) rejected; or

(ii) rejected in accordance with [section 2 of Senate Bill No. 288] because a property owner did not respond or the condemnor believed an impasse existed.

(2) Subsection (1)(d) does not prohibit the condemnor from making further offers in an effort to obtain the property interest sought to be taken, but offers made after the final written offer is submitted pursuant to subsection (1)(d) may not be used to determine whether the condemnee prevails pursuant to 70-30-305. The condemnor shall disclose to a property owner that further offers made in accordance with this subsection are not considered the final written offer."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):
SB 297, be amended as follows:

4/3/2013

1. Page 1.

Following: line 17

Insert: "(2) Insurance payments made to a provider of health care services under subsection (1) must be paid according to the terms of the applicable policy or in accordance with any written agreement or contract existing between the provider and the insurer or a person contractually engaged by the insurer to perform services or an insurance function for the insurer. This section does not prohibit negotiations regarding the amount of the billed charges or a reasonable request for additional information or documents in order to evaluate the claim.

(3) An insurer making payment on a claim under a disability insurance policy, member contract, health benefit plan, group health plan, blanket disability insurance policy as defined in 33-22-601, or other medical coverage shall credit toward satisfaction of the insured's deductible, copayment, or coinsurance, if any, any payment made by a casualty or property insurer but only if the payment to be credited is applied to a covered medical expense under the terms of the applicable health policy."

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

SB 351, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):
HJR 20, do pass. Report adopted.

4/4/2013

NATURAL RESOURCES (Bennett, Chair):
SB 88, be concurred in. Report adopted.
SB 278, be concurred in. Report adopted.

4/3/2013

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SB 336, be amended as follows:

1. Page 4, line 11.

Following: line 10

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. If both Senate Bill No. 19 and [this act] are passed and approved and both contain a section amending 85-2-102, then the definition of "developed spring" in Senate Bill No. 19 must read as follows:

"(12) "Developed spring" means any point where ground water emerges naturally, that has subsequently been physically altered, and from which ground water flows under natural pressures or is artificially withdrawn.""

And, as amended, be concurred in. Report adopted.

SB 347, be amended as follows:

1. Title, page 1, line 5.

Strike: "OR A MODIFICATION OF STREAM FLOW"

2. Page 2, line 7.

Following: "1"

Insert: "or"

3. Page 2, line 8.

Following: "waters"

Insert: "and the resulting decrease in flow or volume if the withdrawal or diversion:

(i) is"

4. Page 2, line 9.

Following: "or"

Insert: "

(ii) would not, in the department's determination, have a reasonable possibility to cause a significant adverse impact on a fish population."

5. Page 2, line 10.

Strike: subsection (c) in its entirety

6. Page 7, line 18.

Following: "1"

Insert: "or"

7. Page 7, line 19.

Following: "waters"

Insert: "and the resulting decrease in flow or volume if the withdrawal or diversion:

(i) is"

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8. Page 7, line 20.

Following: "or"

Insert: "

(ii) would not, in the department's determination, have a reasonable possibility to cause a significant adverse impact on a fish population."

9. Page 7, line 21.

Strike: subsection (c) in its entirety

And, as amended, be concurred in. Report adopted.

SJR 15, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/3/2013

HB 66, introduced by Hoven

HB 84, introduced by Noonan

HB 124, introduced by O'Hara

HB 465, introduced by Blyton

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/3/2013

HB 299, introduced by Warburton

Senate bills passed and transmitted to the House for concurrence: 4/3/2013

SB 355, introduced by Hamlett

SB 386, introduced by Facey

House amendments to Senate bills concurred in: 4/3/2013

SB 11, introduced by Caferro

SB 18, introduced by Hamlett

SB 120, introduced by Buttrey

SB 122, introduced by Facey

MESSAGES FROM THE GOVERNOR

April 3, 2013

The Honorable Mark Blasdel

Speaker of the House

State Capitol Helena, MT 59620

STATE INTERNET/BBS COPY

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Dear Speaker Blasdel:

On Wednesday, April 3, I signed the following House bill:

House Bill 247 - Lavin

This bill was delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 24, introduced by Cuffe, referred to State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 355, introduced by Hamlett, Brenden, Keane, Larsen, referred to Natural Resources.

SB 386, introduced by Facey, referred to Local Government.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 213 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 52

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 47

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Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

HB 217 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Wilson, Zolnikov, Mr. Speaker.

Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Woods.

Total 41

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

HB 423 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 50

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan,

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Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 49

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.
Total 1

Absent or not voting: None.
Total 0

HB 443 passed as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Boland, Brockie, Brodehl, Clark, Connell, Cook, Curtis, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Noonan, O'Hara, O'Neil, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Woods, Mr. Speaker.
Total 65

Nays: Ballance, B. Bennett, Blyton, Boss Ribs, Coffin, Court, Cuffe, Dudik, Eck, Ehli, Greef, Gursky, Hagstrom, Harris, Hill, Hoven, Jacobson, Jones, Laszloffy, Lieser, MacDonald, McCarthy, McNally, Moore, Neill, Pease-Lopez, Schreiner, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Zolnikov.
Total 34

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.
Total 1

Absent or not voting: None.
Total 0

HB 581 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer,

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Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilson, Woods.

Total 33

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

HB 589 passed as follows:

Yeas: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Greef, Gursky, Hill, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 52

Nays: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 47

Voted Absentee: Halvorson, No.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

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HB 634 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Court, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNally, McNiven, Miller, Neill, O'Hara, O'Neil, Randall, Regier, Reichner, Schreiner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Curtis, Doane, Dudik, Eck, Flynn, Gursky, Hertz, Hill, Jacobson, Lieser, Lynch, MacDonald, McChesney, McClafferty, Mehlhoff, Moore, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

HB 635 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McNiven, Noonan, O'Hara, O'Neil, Pease-Lopez, Reichner, Salomon, Schreiner, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Mr. Speaker.

Total 64

Nays: Bangerter, Court, Curtis, Doane, Eck, Fiscus, Galt, Glimm, Hollenbaugh, Hunter, Jacobson, Knudsen, Lang, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Schwaderer, B. Smith, Squires, White, Williams, Wilson, Woods, Zolnikov.

Total 35

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

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Absent or not voting: None.

Total 0

SB 269 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

SB 305 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Halvorson, Aye.

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Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

SB 323 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: J. Bennett, Ingraham, Kerns, B. Smith, Zolnikov.

Total 5

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

SB 324 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Voted Absentee: Halvorson, Aye.

Nays: None.

Total 0

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

SB 335 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: None.

Total 0

SJR 18 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Halvorson, Aye.

Excused: Osmundson.

Total 1

Absent or not voting: Doane.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Bangerter in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 14 - Representative Hollenbaugh moved **HB 14** do pass. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Brodehl, Clark, Doane, Edmunds, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Ingraham, Kary, Kerns, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov.

Total 32

Voted Absentee: Halvorson, Osmundson, No.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 496 - Representative Howard moved **HB 496** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 521 - Representative G. Bennett moved **HB 521** do pass. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 54

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

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Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 619 - Representative Warburton moved **HB 619** do pass.

HB 619 - Representative Hill moved **HB 619**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Following: "A RIGHT TO"

Insert: "VASECTOMIES, CONDOMS, VIAGRA, OR"

Following: "FUNDING OF"

Insert: "VASECTOMIES, CONDOMS, VIAGRA, OR"

2. Page 1, line 13.

Following: "Section 8."

Strike: "Abortion"

Insert: "Vasectomies, condoms, viagra, or abortion -- rights -- public funding"

Following: "a right to"

Insert: "vasectomies, condoms, viagra, or"

3. Page 1, line 14.

Following: "funding of"

Insert: "vasectomies, condoms, viagra, or "

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Zolnikov.

Total 41

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Mr. Speaker.

Total 58

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Voted Absentee: Halvorson, Osmundson, No.

Excused: None.

Total 0

Absent or not voting: Gibson.

Total 1

HB 619 - Representative Warburton moved **HB 619** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 42

Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 631 - Representative Fitzpatrick moved **HB 631** do pass.

HB 631 - Representative Fitzpatrick moved **HB 631**, second reading copy, be amended as follows:

1. Page 1, line 15.

Following: "using"

Insert: "reasonable"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl,

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Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: B. Bennett, Boland, Coffin, Court, Eck, Hill, Hollenbaugh, Hunter, Knudsen, Lieser, MacDonald, Pease-Lopez, Peppers, Schreiner, Schwaderer, Swanson.

Total 16

Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 631 - Representative Fitzpatrick moved **HB 631**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Moore, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 40

Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 637 - Representative Schwaderer moved **HB 637** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Cuffe, Hoven, Kerns, O'Hara, O'Neil.

Total 6

Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 31 - Representative D. Moore moved **SB 31** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

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Voted Absentee: Halvorson, Osmundson, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 56 - Representative White moved **SB 56** be concurred in. Motion **failed** as follows:

Yeas: Coffin, Curtis, Eck, Hansen, Hoven, Lieser, Lynch, McClafferty, Noonan, Pomnichowski, Redfield, Swanson, White, Williams, Wilmer, Woods.

Total 16

Nays: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Warburton, Washburn, Welborn, Whitford, Wilson, Zolnikov, Mr. Speaker.

Total 83

Voted Absentee: Halvorson, Osmundson, No.

Excused: None.

Total 0

Absent or not voting: Wagoner.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Bangerter moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNally, McNiven, Moore, O'Hara, O'Neil, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 58

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Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Warburton, Whitford, Williams, Wilson, Woods.
Total 36

Voted Absentee: None.

Excused: Halvorson, Osmundson.
Total 2

Absent or not voting: Connell, Lavin, Miller, Redfield.
Total 4

MOTIONS

Representative McCarthy moved to change his vote on **SB 335** from No to Yes. Without objection, so ordered.

SJR 21 was transmitted to the House after the deadline for General Bills. As per Joint Rule 40-200, Majority Leader Vance moved to receive **SJR 21** into the House for consideration. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: None.
Total 0

Voted Absentee: None.

Excused: Halvorson, Osmundson.
Total 2

Absent or not voting: Knudsen.
Total 1

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SPECIAL ORDERS OF THE DAY

Representative Brockie rose to congratulate the University of Louisville Women's Basketball team for making it to the Final Four. Representative Brockie also sent a special congratulations to Shoni Shimmel and her sister Jude for being the first Native American women to make it to the Final Four.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, April 5, 2013.
Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 5, 2013

House Chambers
State Capitol

House convened at 3:45 p.m. Mr. Speaker presiding. Invocation by Representative Bangerter. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Wilmer, excused. Quorum present.

BILLS (O'Hara, Chair):

4/5/2013

Correctly printed: **SB 106, SB 147, SB 149, SB 160, SB 161, SB 182, SB 198, SB 199, SB 203, SB 207, SB 209, SB 226, SB 245, SB 251, SB 271, SB 290, SB 292, SB 297, SB 302, SB 336, SB 347, SB 366.**

Correctly engrossed: **SB 275, SB 299, SB 348.**

Correctly enrolled: **HB 117, HB 287, HB 488, HB 566.**

Examined by the sponsor and found to be correct: **HB 66, HB 84, HB 117, HB 124, HB 217, HB 287, HB 465, HB 488, HB 566.**

Transmitted to the Senate: **HB 213, HB 423, HB 443, HB 496, HB 521, HB 581, HB 589, HB 619, HB 631, HB 634, HB 635, HB 637, SB 31, SB 43, SB 154, SB 223, SB 269, SB 305, SB 323, SB 324, SB 335, SJR 18.**

Signed by the Speaker at 10:50 a.m., April 5, 2013: **HB 465.**

Signed by the Chief Clerk of the House at 10:57 a.m., April 5, 2013: **HB 465.**

Signed by the Speaker at 7:40 a.m., April 6, 2013: **HB 66, HB 84, HB 117.**

Signed by the Speaker at 7:45 a.m., April 6, 2013: **HB 124, HB 217, HB 287.**

Signed by the Speaker at 7:50 a.m., April 6, 2013: **HB 488, HB 566.**

Signed by the Chief Clerk of the House at 8:23 a.m., April 6, 2013: **HB 66, HB 84, HB 117, HB 124, HB 217, HB 287.**

Signed by the Chief Clerk of the House at 8:24 a.m., April 6, 2013: **HB 488, HB 566.**

Signed by the President at 9:04 a.m., April 5, 2013: **HB 127, HB 170, HB 388, HB 451, HB 502.**

Signed by the President at 11:39 a.m., April 5, 2013: **HB 465.**

Delivered to the Governor for approval at 11:00 a.m., April 5, 2013: **HB 127, HB 170, HB 388, HB 451, HB 502.**

On a **Point of Order** Speaker Blasdel addressed the Chamber to thank them for their patience during the delay in getting the Session started. The work of the House generally goes well with all Representatives working together and the problems in the Senate should not reflect on the work the House is continuing to accomplish.

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

4/4/2013

SB 226, be concurred in. Report adopted.

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SB 299, be amended as follows:

1. Page 1, line 13.

Strike: "enters or remains in or"

2. Page 1, line 14.

Strike: "\$1,500"

Insert: "\$500"

And, as amended, be concurred in. Report adopted.

APPROPRIATIONS (Ankney, Chair):

4/4/2013

SB 275, be amended as follows:

1. Page 1, line 14.

Strike: "VERIFYING"

Insert: "verify"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/4/2013

HB 117, introduced by Eck

HB 287, introduced by Salomon

HB 488, introduced by Gursky

HB 566, introduced by Woods

Senate bills passed and transmitted to the House for concurrence:

4/4/2013

SB 280, introduced by Thomas

SB 384, introduced by Facey

MESSAGES FROM THE GOVERNOR

April 4, 2013

The Honorable Mark Blasdel

Speaker of the House

State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Thursday, April 4, I signed the following House bills:

House Bill 91 -Lynch

STATE INTERNET/BBS COPY

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House Bill 110 -Pease-Lopez
House Bill 125 -O'Hara
House Bill 232 -Knudsen

These bills were delivered to the Secretary of State's Office today.
Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 280, introduced by Thomas, Flynn, Knudsen, Miller, Tutvedt, referred to Taxation.
SB 384, introduced by Facey, referred to Judiciary.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gursky in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 160 - Representative Gursky moved **SB 160** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Galt, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: Ballance, J. Bennett, Berry, Brodehl, Coffin, Connell, Cuffe, Doane, Edmunds, Ehli, Flynn, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.
Total 32

Voted Absentee: Wilmer, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

SB 106 - Representative Boland moved **SB 106** be concurred in. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Galt, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ankney, Ballance, J. Bennett, Berry, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Gibson, Glimm, Halvorson, Harris, Hoven, Howard, Jones, Kary, Kerns, McNiven, Miller, Moore, Randall, Redfield, Shaw, C. Smith, Vance, Washburn, Welborn, White, Zolnikov.

Total 30

Excused: None.

Total 0

Voted Absentee: Wilmer, Aye.

Absent or not voting: None.

Total 0

SB 147 - Representative Fitzpatrick moved **SB 147** be concurred in.

Representative Curtis rose on a **Point of Order** to say that the Montana Cattleman Association was an official opponent to **SB 147**.

SB 147 - Representative Fitzpatrick moved **SB 147** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 65

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 149 - Representative Hagan moved **SB 149** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Ingraham, C. Smith, Zolnikov.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 161 - Representative Clark moved **SB 161** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally,

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McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Fitzpatrick, Galt, Hagstrom, Halvorson, Harris, Kerns, Knudsen, Lang, Laszloffy, McChesney, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Vance, Wagoner, Welborn, Zolnikov.

Total 24

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 182 - Representative Bangerter moved **SB 182** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ankney, Cook, Fitzpatrick, Regier, Welborn, White.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 - Representative Laszloffy moved **SB 198** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Berry, Harris, Kerns, Miller, O'Neil, Schwaderer.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Gursky moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov.

Total 91

Nays: B. Bennett, Blyton, Curtis, Hertz, Laszloffy, Miller, Redfield.

Total 7

Voted Absentee: None.

Excused: Wilmer.

Total 1

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Absent or not voting: Mr. Speaker.

Total 1

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Gursky in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 199 - Representative Washburn moved **SB 199** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Harris, Kerns, Miller, Wagoner.

Total 4

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: White.

Total 1

SB 203 - Representative Price moved **SB 203** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Kerns, C. Smith, Zolnikov.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 207 - Representative MacDonald moved **SB 207** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Doane, Salomon, Welborn.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 209 - Representative Bangerter moved **SB 209** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: J. Bennett, Brodehl, Cuffe, Doane, Flynn, Glimm, Kerns, Redfield, Regier, C. Smith, Warburton.

Total 11

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

SB 245 - Representative Zolnikov moved **SB 245** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: Hansen, Osmundson, White.

Total 3

SB 251 - Representative Dudik moved **SB 251** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Redfield.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 271 - Representative D. Moore moved **SB 271** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Dudik, Lavin.

Total 2

SB 288 - Representative Regier moved **SB 288** be concurred in. Motion **failed** as follows:

Yeas: Bangerter, J. Bennett, Berry, Brodehl, Connell, Cook, Cuffe, Fitzpatrick, Gibson, Hagan, Halvorson, Hollandsworth, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, O'Hara, O'Neil, Osmundson, Regier, Schwaderer, C. Smith, Vance, White, Zolnikov, Mr. Speaker.

Total 29

Nays: Ankney, Ballance, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 71

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 290 - Representative O'Neil moved **SB 290** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

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Nays: Ingraham, Kerns, Moore, Redfield, Reichner, Salomon.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 292 - Representative Wagoner moved **SB 292** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Lynch, McClafferty, Noonan, O'Neil, Schreiner.

Total 5

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 297 - Representative Knudsen moved **SB 297** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 302 - Representative Hansen moved **SB 302** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Ankney, Kerns, Welborn.

Total 3

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 336 - Representative Fitzpatrick moved **SB 336** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,

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Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Redfield.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 347 - Representative G. Bennett moved **SB 347** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 366 - Representative Warburton moved **SB 366** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Gursky moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: B. Bennett, Boland, McClafferty, McNally, Noonan, Squires, Williams.

Total 7

Voted Absentee: None

Excused: Wilmer.

Total 1

Absent or not voting: Brodehl.

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Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 43 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Voted Absentee: Wilmer, Aye.

Nays: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 154 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

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Nays: None.
Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 223 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 14 failed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

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Total 57

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 43

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 496 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 47

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 521 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris,

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Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 52

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 619 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Price, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 53

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 47

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 631 passed as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 637 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Hansen, Harris, Hoven, Kerns, O'Hara, O'Neil.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

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Total 0

SB 31 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 203** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 302** be moved from the Committee of the Whole to the Appropriations committee.

SPECIAL ORDERS OF THE DAY

Representative Regier introduced the Fosbery's. Terry and Judy performed several old time favorite western songs on their guitar and fiddle. They were presented with Certificates of Honorary memberships to the House of Representatives.

On a **Point of Order**, Minority Leader Hunter took a moment to discuss his disappointment on how today's session was handled.

Minority Leader Hunter stated that the House was scheduled to begin at 1:00 p.m. and should have carried on in spite of what the Senate was doing. Majority Leader Hunter stated that the House should not be dependent on the Senate for how it behaves.

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Minority Leader Hunter took a moment to express his disappointment that on Friday, April 5th, the Senate members of his party were not recognized and that votes took place without their participation. Minority Leader Hunter hoped that House leadership would meet to discuss how to handle the situation, with the bills that were passed in the Senate under adverse circumstance, since legal questions may arise about their validity.

Minority Leader Hunter stated that disregarding and ignoring members of either the Senate or the House should not happen anytime or anyplace. Minority Leader Hunter hopes that this never happens again. He added that the House works together well and typically doesn't have these problems and he hopes that the house continues to work well together.

His comments were noted by the Speaker.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, April 6, 2013. Motion carried.

House adjourned at 7:05 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
SEVENTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 6, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Pierson. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Wilmer, excused. Quorum present.

BILLS (O'Hara, Chair):

4/6/2013

Correctly printed: **SB 81, SB 203, SB 256, SB 275, SB 278, SB 340, SB 344, SB 345, SB 351, SB 361, SB 364.**

Correctly engrossed: **SB 88, SB 258, SB 306, SB 325, SB 339.**

Signed by the President at 10:10 a.m., April 9, 2013: **HB 84.**

Signed by the President at 10:12 a.m., April 9, 2013: **HB 66.**

Signed by the President at 10:15 a.m., April 9, 2013: **HB 117.**

Signed by the President at 10:25 a.m., April 9, 2013: **HB 566.**

Signed by the President at 10:40 a.m., April 9, 2013: **HB 287, HB 488.**

Signed by the President at 10:41 a.m., April 9, 2013: **HB 217.**

Signed by the President at 10:47 a.m., April 9, 2013: **HB 124.**

Signed by the President at 10:52 a.m., April 9, 2013: **HB 359.**

Signed by the President at 10:53 a.m., April 9, 2013: **HB 225.**

REPORTS OF STANDING COMMITTEES

EDUCATION (Hansen, Chair):

4/5/2013

SB 348, be amended as follows:

1. Page 4, line 27.

Strike: "per-quality-educator"

Insert: "per-ANB"

2. Page 4, line 29.

Strike: "number" through "20-4-502"

Insert: "statewide ANB"

3. Page 4, line 30.

Strike: "number" through "educators in"

Insert: "total ANB for"

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4. Page 13, line 16.

Following: "debt service fund"

Insert: "or retirement fund"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House amendments to Senate bill concurred in:

4/5/2013

SB 346, introduced by Vincent

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/5/2013

HB 104, introduced by Regier

HB 240, introduced by C. Smith

HB 395, introduced by Wagoner

HB 554, introduced by B. Smith

Senate bills passed and transmitted to the House for concurrence:

4/5/2013

SB 143, introduced by Brenden

SB 240, introduced by Tutvedt

SB 282, introduced by Tutvedt

SB 369, introduced by Facey

SB 374, introduced by Lewis

SB 380, introduced by Vincent

SB 381, introduced by Vincent

SB 387, introduced by Debby Barrett

SB 392, introduced by Kaufmann

SB 394, introduced by Wittich

SB 395, introduced by Wanzenried

SB 396, introduced by Brenden

SB 397, introduced by Boulanger

SB 398, introduced by Tutvedt

SB 400, introduced by Arntzen

SB 405, introduced by Olson

SB 408, introduced by Olson

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MESSAGES FROM THE GOVERNOR

April 5, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Friday, April 5, I signed the following House bills:

House Bill 168 - D. Moore
House Bill 224 - C. Smith

These bills were delivered to the Secretary of State's Office today.

The following bills were returned to the Secretary of State's Office without signature:

House Bill 226 - Jones
House Bill 278 - Washburn
House Bill 469 - Fitzpatrick

I have vetoed:

House Bill 50 - Howard
House Bill 280 - C. Smith.

Sincerely,

STEVE BULLOCK
Governor

April 5, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

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Dear Speaker Blasdel and President Essmann:

By the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 50 (HB 50), entitled, "AN ACT PROHIBITING LOCAL GOVERNING BODIES FROM ENACTING, ADOPTING, IMPLEMENTING, ENFORCING, OR REFERRING TO THE ELECTORATE IMMIGRATION ANTICOOPERATION POLICIES; PROVIDING DEFINITIONS; ALLOWING FOR THE WITHHOLDING OF FUNDS TO LOCAL GOVERNING BODIES THAT DO NOT COMPLY; AMENDING SECTION 7-1-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 50 prohibits local governing bodies, including school districts, from enacting or implementing anticooperation policies with regard to a person's immigration status. It would allow for state withholding offunds to any local government that enacts such a policy, and encourages lawsuits against localities by anyone who believes a local government is out of compliance with HB 50.

There are several problems with HB 50. First, it has not been shown that there is a single city, county or other local government that has sought to enact anticooperation policies in Montana. To the contrary, testimony on this bill clearly indicated that no jurisdiction in Montana has enacted such a policy, nor is any jurisdiction close to enacting such a policy. HB 50 addresses a nonexistent problem.

Second, HB 50 could prevent victims of domestic violence, labor exploitation, unsafe working conditions, or human trafficking from coming forward or seeking help from law enforcement. Not only does this endanger the victims of these crimes, it undermines the ability of local law enforcement to set priorities according to the needs of their communities.

Third, HB 50 includes school districts within its scope. The U.S. Supreme Court has held that denying children access to a public education based upon the immigration status of their parents is not constitutionally sound. Plyler v. Doe, 457 U.S. 202 (1982). The operation of HB 50 as applied to the public schools could well be challenged as a violation of the equal protection clause of the U.S. Constitution.

While any member of the citizenry is entitled to make political statements, we ought not clutter our state code with such statements.

For these reasons, I respectfully ask you to sustain my veto of HB 50.

Sincerely,

STEVE BULLOCK
Governor

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April 5, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 280 (HB 280) "AN ACT ALLOWING FOR THE PROVISION OF HEALTH OR DISABILITY INSURANCE BY OUT-OF-STATE INSURERS; PROVIDING A STREAMLINED PROCESS FOR OUT-OF-STATE HEALTH INSURERS TO ISSUE POLICIES IN MONTANA REQUIRING PAYMENT OF PREMIUM TAXES, REQUIRING SPECIFIC NOTICE IN APPLICATIONS AND IN POLICIES, PROVIDING FOR REVOCATION OF REGISTRATION OR OTHER PENAL TIES; PROVIDING RULEMAKING AUTHORITY TO THE INSURANCE COMMISSIONER; AMENDING SECTIONS 33-1-102, 33-1-20, 33-2-705, 33-2-710, 33-32-105 AND 33-32-2201, MCA."

House Bill 280 leaves Montana citizens vulnerable to fraud and abuse. Under this law, the Montana insurance commissioner would not be able to effectively enforce Montana laws that protect Montana citizens when a health or disability insurer is from another state. Because all health insurance policies will be subject to the same federal essential mandated benefits in 2014, this bill will not reduce premiums for Montanans buying health insurance or result in more competition. It does not give the Montana insurance commissioner rate review authority, leaving Montanans unprotected from insurance rates rising out of control.

Because this bill does not serve the interests of Montana citizens, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

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SB 143, introduced by Brenden, Arthun, Boulanger, T. Brown, Buttrey, L. Jones, Keane, Lang, Lewis, F. Moore, Ripley, Rosendale, Sales, Sonju, Taylor, Thomas, Tutvedt, Vincent, Vuckovich, Walker, Webb, referred to Agriculture.

SB 240, introduced by Tutvedt, Zolnikov, referred to Taxation.

SB 282, introduced by Tutvedt, referred to Taxation.

SB 369, introduced by Facey, Hamlett, Ripley, Vincent, referred to Natural Resources.

SB 374, introduced by Lewis, Windy Boy, referred to Education.

SB 381, introduced by Vincent, referred to Fish, Wildlife and Parks.

SB 387, introduced by Debby Barrett, referred to State Administration.

SB 392, introduced by Kaufmann, referred to State Administration.

SB 394, introduced by Wittich, referred to Taxation.

SB 395, introduced by Wanzenried, referred to Human Services.

SB 396, introduced by Brenden, Blasdel, Doane, Halvorson, Knudsen, Lang, Olson, Osmundson, Rosendale, referred to Appropriations.

SB 397, introduced by Boulanger, Brenden, Thomas, referred to Fish, Wildlife and Parks.

SB 398, introduced by Tutvedt, referred to Taxation.

SB 400, introduced by Arntzen, referred to Business and Labor.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 106 concurred in as follows:

Yeas: Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 73

Nays: Ankney, Ballance, J. Bennett, Berry, Doane, Fitzpatrick, Gibson, Glimm, Halvorson, Harris, Hoven, Kary, Kerns, McNiven, Miller, Moore, Randall, Redfield, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 26

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: Peppers.

Total 1

SB 147 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 36

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 149 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Cook, Cuffe, Ingraham, C. Smith, Zolnikov.

Total 5

Voted Absentee: Wilmer, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 160 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 68

Nays: Ballance, J. Bennett, Berry, Brodehl, Coffin, Cuffe, Doane, Edmunds, Ehli, Fiscus, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 32

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 161 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 72

Nays: J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Kerns, Knudsen, Lang, Laszloffy, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Vance, Wagoner, Welborn, Zolnikov, Mr. Speaker.

Total 28

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Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 182 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ankney, Cook, Fitzpatrick, Jacobson, Mehlhoff, Regier, Welborn, White.

Total 8

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

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Nays: Berry, Harris, Kerns, Miller, O'Neil, Schwaderer.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 199 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Harris, Kerns.

Total 2

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 207 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall,

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Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Doane.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 209 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 87

Nays: J. Bennett, Brodehl, Doane, Fiscus, Flynn, Glimm, Kerns, Regier, Reichner, C. Smith, Wagoner, Warburton, Mr. Speaker.

Total 13

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 245 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds,

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Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 251 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 271 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 290 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Ingraham, Kerns, Redfield, Salomon, Schwaderer, Welborn, Zolnikov.

Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 292 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Gursky, Lynch, McClafferty, Noonan, O'Neil, Schreiner, B. Smith.

Total 7

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 297 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Wilmer, No.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 336 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Coffin, Cook, Miller, Redfield, Warburton.
Total 5

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 347 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg,

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Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Berry.

Total 1

SB 366 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 40

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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SB 258 - Representative Hollenbaugh moved **SB 258** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Glimm, Kerns, O'Neil, Osmundson, Warburton, Zolnikov.

Total 6

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 81 - Representative C. Smith moved **SB 81** be concurred in.

SB 81 - On a **Point of Personal Privilege** Representative McClafferty gave comments regarding Idaho Charter School testimony.

SB 81 - Representative C. Smith moved **SB 81** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 47

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 88 - Representative Fitzpatrick moved **SB 88** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 81

Nays: Boss Ribs, Brockie, Brodehl, Cuffe, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, O'Neil, Peppers, Regier, C. Smith, Vance, Warburton, Whitford.
Total 19

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 256 - Representative Redfield moved **SB 256** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 62

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 275 - Representative Clark moved **SB 275** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Zolnikov.
Total 1

SB 278 - Representative Williams moved **SB 278** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy,

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Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 82

Nays: Brodehl, Cuffe, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, Miller, O'Neil, Randall, Regier, Vance, Warburton, Zolnikov.
Total 17

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: Mr. Speaker.
Total 1

SB 299 - Representative Knudsen moved **SB 299** be concurred in. Motion **failed** as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Flynn, Galt, Glimm, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Howard, Knudsen, Lang, Laszloffy, Lenz, Moore, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.
Total 41

Nays: Ankney, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Fitzpatrick, Gibson, Greef, Gursky, Hagstrom, Harris, Hill, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 59

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 306 - Representative Ankney moved **SB 306** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jones, Kary, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 58

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 42

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 325 - Representative Regier moved **SB 325** be concurred in.

SB 325 - Representative Connell moved **SB 325**, second reading copy, be amended as follows:

1. Page 2, line 30.

Following: "arsenic"

Insert: ", including wood pieces that have been treated with chemical preservatives, such as creosote, pentachlorophenol, or copper-chrome arsenic, and that are used at a facility that has a nameplate capacity of 5 megawatts or less"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilson, Zolnikov, Mr. Speaker.

Total 61

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Doane, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Kary, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Woods.

Total 38

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Gibson.

Total 1

SB 325 - Representative Regier moved **SB 325**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Hoven.

Total 1

SB 337 - Representative Lenz moved **SB 337** be concurred in.

SB 337 - Representative Lenz moved **SB 337**, second reading copy, be amended as follows:

1. Page 1, line 22.

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Following: "85-2-316"

Insert: "or a right to receive water through an irrigation project"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: Wilmer, No.

Excused: None.
Total 0

Absent or not voting: Greef, Hill.
Total 2

SB 337 - Representative Lenz moved **SB 337**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 39

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Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

SB 340 - Representative Washburn moved **SB 340** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 75

Nays: Boss Ribs, Court, Curtis, Dudik, Gursky, MacDonald, McCarthy, McClafferty, Miller, O'Neil, Pease-Lopez, Pomnichowski, Price, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 24

Voted Absentee: Wilmer, No.

Excused: None.

Total 0

Absent or not voting: Connell.

Total 1

SB 344 - Representative Welborn moved **SB 344** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Welborn, White,

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Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Hagan, Washburn.

Total 2

SB 345 - Representative G. Bennett moved **SB 345** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 351 - Representative Howard moved **SB 351** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter,

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Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: Howard.

Total 1

SB 361 - Representative Randall moved **SB 361** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Squires.

Total 1

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 364 - Representative G. Bennett moved **SB 364** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Voted Absentee: Wilmer, Aye.

Nays: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 372 - Representative Fiscus moved **SB 372** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 43

Nays: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Ehli, Galt, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 56

Voted Absentee: Wilmer, No.

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Excused: None.

Total 0

Absent or not voting: O'Hara.

Total 1

SJR 11 - Representative Greef moved **SJR 11** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: J. Bennett, Berry, Boss Ribs, Edmunds, Halvorson, Howard, Ingraham, Kerns, Lang, Pomnichowski, Randall, Redfield, Schwaderer, B. Smith, Vance, White, Whitford, Williams, Zolnikov.

Total 19

Voted Absentee: Wilmer, Aye.

Excused: None.

Total 0

Absent or not voting: McNally.

Total 1

SJR 13 - Representative Coffin moved **SJR 13** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

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Nays: J. Bennett, Court, Cuffe, Doane, Edmunds, Fiscus, Harris, Howard, Kerns, Knudsen, Miller, O'Neil, Randall, Regier, B. Smith, Vance, Whitford, Williams, Zolnikov.
Total 19

Voted Absentee: Wilmer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilson, Zolnikov, Mr. Speaker.
Total 90

Nays: Hansen, Pierson, Woods.
Total 3

Voted Absentee: None.

Excused: Wilmer.
Total 1

Absent or not voting: McNally, O'Hara, Pomnichowski, Salomon, Steenberg, Whitford.
Total 6

MOTIONS

Majority Leader Vance moved **SB 81** be moved from the Committee of the Whole to the Appropriations committee.

Representative Dudik moved to change her vote on **SJR 11** from Not Voting to Yes. Without objection, so ordered.

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SPECIAL ORDERS OF THE DAY

Representative Reichner thanked the pages for their service.

Representative Jerry Bennett introduced Evan Pate (Helena) and Cassidy Lavin (Kalispell) who were honorary pages for the day

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, April 8, 2013.
Motion carried.

House adjourned at 10:45 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-THIRD LEGISLATIVE DAY**

Helena, Montana
April 8, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Greef. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Hagan and Knudsen, excused. Quorum present.

BILLS (O'Hara, Chair):

4/8/2013

Correctly printed: **HJR 25, SB 107.**

Correctly enrolled: **HR 5.**

Transmitted to the Senate: **SB 88, SB 106, SB 147, SB 149, SB 160, SB 161, SB 182, SB 198, SB 199, SB 207, SB 209, SB 245, SB 251, SB 256, SB 258, SB 271, SB 275, SB 278, SB 290, SB 292, SB 297, SB 306, SB 325, SB 336, SB 337, SB 340, SB 344, SB 345, SB 347, SB 351, SB 361, SB 364, SB 366, SJR 11, SJR 13.**

Signed by the Speaker at 4:55 p.m., April 8, 2013: **HB 359.**

Signed by the Chief Clerk of the House at 4:56 p.m., April 8, 2013: **HB 359.**

Delivered to the Governor for approval at 3:13 p.m., April 8, 2013: **HB 465.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

4/8/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, April 6, 2013:

Shelly Bangerter, Helena
Sammy Ingraham, Lolo
McCaella Mitman, Florence
Taylor Preshinger, Helena
Eliza Reichner, Big Fork
Isaac Reichner, Big Fork
Jacob Fisher, Helena

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, April 8, 2013:

Erik Kelly, Chester
Kaitlyn Skoog, Helena
Margaret Brunell, Anaconda
Colette Werk, Hays
Latrell Kirkaldie, Hays
Reilly Parisot, Helena
Report Adopted.

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FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 25, introduced by Reichner, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Jones in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 23 - Senate Amendments - Representative B. Bennett moved Senate amendments to **HB 23** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Ingraham, Jacobson, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: J. Bennett, Harris, Howard, Jones, Kary.

Total 5

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: Hunter.

Total 1

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HB 24 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 24** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: Jones, Kary, Kerns, Pease-Lopez, Pomnichowski, C. Smith, Warburton, Williams.
Total 8

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 37 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 37** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Brockie, Glimm, Halvorson, Regier, White.
Total 5

Voted Absentee: Hagan, Knudsen, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 71 - Senate Amendments - Representative MacDonald moved Senate amendments to **HB 71** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 76

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Edmunds, Fitzpatrick, Galt, Glimm, Hagstrom, Hansen, Harris, Kerns, Laszloffy, Osmundson, Randall, Redfield, Regier, C. Smith, Wagoner, Warburton, Zolnikov, Mr. Speaker.

Total 24

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 106 - Senate Amendments - Representative Connell moved Senate amendments to **HB 106** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

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Nays: B. Bennett, Boss Ribs, Brodehl, Cuffe, Kerns, McCarthy, McNally, Pease-Lopez, Peppers, Whitford, Williams.
Total 11

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 131 - Governor's Amendments - Representative Gursky moved Governor's amendments to **HB 131** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 81

Nays: J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Glimm, Kary, Kerns, Miller, O'Neil, Randall, Redfield, Regier, C. Smith, Warburton, White, Zolnikov, Mr. Speaker.
Total 19

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 146 - Senate Amendments - Representative Hansen moved Senate amendments to **HB 146** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson,

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Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Curtis, Lynch, McClafferty, Noonan, Pease-Lopez, Schreiner, Whitford.

Total 8

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 162 - Senate Amendments - Representative Flynn moved Senate amendments to **HB 162** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 187 - Senate Amendments - Representative Flynn moved Senate amendments to **HB 187** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 97

Nays: Cook, Pease-Lopez, Zolnikov.
Total 3

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 189 - Senate Amendments - Representative Lenz moved Senate amendments to **HB 189** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: J. Bennett, Berry, Cook, Fitzpatrick, Halvorson, Kerns, Lang, O'Neil, C. Smith, Zolnikov.
Total 10

Voted Absentee: Hagan, Knudsen, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 195 - Senate Amendments - Representative Ingraham moved Senate amendments to **HB 195** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Pomnichowski.

Total 1

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 203 - Senate Amendments - Representative Clark moved Senate amendments to **HB 203** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns,

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Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 41

Voted Absentee: Hagan, Aye; Knudsen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 206 - Senate Amendments - Representative Flynn moved Senate amendments to **HB 206** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lynch, MacDonald, McClafferty, McNally, Noonan, Pease-Lopez, Peppers, Pierson, Price, Schreiner, B. Smith, Swanson, White, Whitford, Williams, Woods.

Total 28

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 250 - Senate Amendments - Representative Bangerter moved Senate amendments to **HB 250** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson,

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Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Ballance.

Total 1

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 256 - Senate Amendments - Representative Hoven moved Senate amendments to **HB 256** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, Fitzpatrick, Miller, Schwaderer, Zolnikov.

Total 5

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: Randall.

Total 1

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HB 274 - Senate Amendments - Representative Greef moved Senate amendments to **HB 274** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 297 - Senate Amendments - Representative Howard moved Senate amendments to **HB 297** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: Hagan, Knudsen, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 299 - Senate Amendments - Representative Warburton moved Senate amendments to **HB 299** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kary.

Total 1

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 352 - Senate Amendments - Representative Fitzpatrick moved Senate amendments to **HB 352** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 88

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Nays: J. Bennett, Cuffe, Glimm, Hansen, Harris, Kary, McCarthy, Miller, O'Neil, Randall, Regier, White.

Total 12

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 459 - Senate Amendments - Representative Kerns moved Senate amendments to **HB 459** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 36

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 485 - Senate Amendments - Representative Lavin moved Senate amendments to **HB 485** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson,

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Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 95

Nays: B. Bennett, Eck, Gursky, Hill.

Total 4

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 508 - Senate Amendments - Representative Edmunds moved Senate amendments to **HB 508** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 510 - Senate Amendments - Representative Ingraham moved Senate amendments to **HB 510** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 513 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 513** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Hagan, Knudsen, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 9 - Senate Amendments - Representative McNiven moved Senate amendments to **HJR 9** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 92

Nays: Hollenbaugh, Hunter, Lieser, Neill, Regier, White, Wilson, Woods.

Total 8

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HR 5 - Representative Kerns moved **HR 5** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McClafferty, McNally, Neill, Noonan,

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Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson,
Whitford, Williams, Wilson, Woods.
Total 31

Voted Absentee: Hagan, Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jones moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 88

Nays: Boland, Curtis, Kerns, McClafferty, Noonan, Pease-Lopez, Pomnichowski, Squires, Swanson.
Total 9

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: Pierson.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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SB 88 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 79

Nays: J. Bennett, Brodehl, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, O'Neil, Peppers, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Warburton.
Total 19

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SB 256 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 39

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

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Absent or not voting: None.

Total 0

SB 258 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 90

Nays: J. Bennett, Cuffe, Glimm, Kerns, O'Neil, Osmundson, Warburton, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

SB 275 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Zolnikov.

Total 1

Voted Absentee: None.

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Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SB 278 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 77

Nays: Brodehl, Cuffe, Doane, Edmunds, Glimm, Halvorson, Harris, Howard, Kerns, Lavin, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Warburton, Zolnikov.
Total 21

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SB 306 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 58

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier,

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Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, White, Mr. Speaker.

Total 40

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

SB 325 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

SB 337 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

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Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SB 340 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNiven, Mehlhoff, Moore, Neill, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Mr. Speaker.
Total 70

Nays: Boland, Brockie, Court, Curtis, Lynch, MacDonald, McCarthy, McClafferty, McNally, Miller, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schwaderer, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods, Zolnikov.
Total 27

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: Fiscus.
Total 1

SB 344 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter,

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Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

SB 345 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: Randall.

Total 1

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SB 351 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

SB 361 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SB 364 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

SJR 11 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Wilmer, Wilson, Woods, Mr. Speaker.
Total 76

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Nays: J. Bennett, Berry, Boss Ribs, Court, Doane, Edmunds, Halvorson, Howard, Ingraham, Kerns, Lang, Pomnichowski, Randall, Redfield, B. Smith, Vance, Wagoner, White, Whitford, Williams, Zolnikov.

Total 21

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: Ehli.

Total 1

SJR 13 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr.

Speaker.

Total 80

Nays: J. Bennett, Court, Doane, Eck, Edmunds, Fitzpatrick, Harris, Howard, Kerns, Lang, Miller, O'Neil, Randall, Regier, C. Smith, Vance, Williams, Zolnikov.

Total 18

Voted Absentee: None.

Excused: Hagan, Knudsen.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved to appoint a Conference Committee on **HB 206** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/8/2013

Representative Flynn, Vice Chair

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Representative Fitzpatrick
Representative Gursky

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 297** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/8/2013

Representative Howard, Vice Chair
Representative Eck
Representative Lenz

On a **Point of Order** Representative Hollenbaugh rose to ask why **SB 297** was going straight to a Free Conference Committee as opposed to the typical procedure which has bills going to a Conference Committee first. Speaker Blasdel responded that after discussing the Senate Amendments with the Sponsor he chose to assign a Free Conference Committee.

On a **Point of Order** Minority Leader Hunter expressed that he had discussed **SB 297** with Representative Howard (Sponsor) and he hoped that only those items discussed would be addressed by the Free Conference Committee, and if so, Minority Leader Hunter agreed with the Free Conference Committee going forward.

On a **Point of Personal Privilege** Representative Bridget Smith rose to say that she was offended by the choice of music played on Friday, April 5th.

Representative Jacobson moved to change his vote on **SB 337** from Yes to No. Without objection, so ordered.

Representative B. Bennett moved that **SB 107** be taken from Judiciary and brought before the Committee of the Whole.

Motion **passed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 60

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, O'Neil, Osmundson, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 38

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Voted Absentee: None.

Excused: Hagan, Knudsen.
Total 2

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, April 9, 2013.
Motion carried.

House adjourned at 2:35 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 9, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Regier.
Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Knudsen, excused. Quorum present.

BILLS (O'Hara, Chair): 4/9/2013

Correctly printed: **HJR 26, SB 20, SB 28, SB 69, SB 84, SB 107, SB 108, SB 179, SB 200, SJR 21.**

Correctly engrossed: **SB 236, SB 294.**

Correctly enrolled: **HB 30, HB 182, HB 281, HB 396, HB 410, HB 446.**

Examined by the sponsor and found to be correct: **HB 30, HB 182, HB 281, HB 396, HB 410, HB 446.**

Signed by the Speaker at 3:30 p.m., April 9, 2013: **HR 5.**

Signed by the Speaker at 4:45 p.m., April 9, 2013: **HB 182, HB 281.**

Signed by the Chief Clerk of the House at 3:30 p.m., April 9, 2013: **HR 5.**

Signed by the Chief Clerk of the House at 4:53 p.m., April 9, 2013: **HB 182, HB 281.**

Delivered to the Governor for approval at 11:44 a.m., April 9, 2013: **HB 66, HB 84, HB 117, HB 124, HB 217, HB 225, HB 287, HB 359, HB 488, HB 566.**

Delivered to the Secretary of State at 3:48 p.m., April 9, 2013: **HR 5.**

REPORTS OF STANDING COMMITTEES

HUMAN SERVICES (Howard, Chair): 4/8/2013
SB 28, be concurred in. Report adopted.
SB 84, be concurred in. Report adopted.

STATE ADMINISTRATION (Ingraham, Chair): 4/9/2013
SJR 21, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/8/2013

HB 30, introduced by Washburn
HB 182, introduced by Ballance

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HB 281, introduced by C. Smith
HB 396, introduced by Lang
HB 410, introduced by Washburn
HB 446, introduced by Schwaderer

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/8/2013

HB 61, introduced by Lynch
HB 100, introduced by Ehli
HB 120, introduced by Ingraham
HB 157, introduced by Connell
HB 171, introduced by C. Smith
HB 188, introduced by Regier
HB 233, introduced by Lavin
HB 239, introduced by C. Smith
HB 258, introduced by B. Smith
HB 265, introduced by Fitzpatrick
HB 286, introduced by Brockie
HB 301, introduced by Halvorson
HB 310, introduced by C. Smith
HB 345, introduced by C. Smith
HB 431, introduced by Knudsen
HB 433, introduced by O'Hara
HB 442, introduced by Randall
HB 450, introduced by Hagan
HB 464, introduced by Clark
HB 473, introduced by Reichner
HB 477, introduced by Berry
HB 494, introduced by Glimm
HB 497, introduced by White
HB 499, introduced by Hill
HB 544, introduced by Reichner
HB 560, introduced by Pierson

House bill not concurred in and returned to the House:

4/8/2013

HB 208, introduced by O'Neil

Senate bill passed and transmitted to the House for concurrence:

4/8/2013

SB 401, introduced by Sesso

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MESSAGES FROM THE GOVERNOR

April 9, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Tuesday, April 9, I signed the following House bills:

House Bill 7 -Cook
House Bill 22 -Dudik
House Bill 194 -Ingraham
House Bill 314 -Kary
House Bill 323 -Cuffe

These bills were delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 26, introduced by Connell, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative MacDonald in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 104 - Senate Amendments - Representative Regier moved Senate amendments to **HB 104** be concurred in. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Doane, Halvorson, Osmundson, Warburton.

Total 4

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 - Senate Amendments - Representative Fiscus moved Senate amendments to **HB 184** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: Knudsen, Aye.

Excused: None.

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Total 0

Absent or not voting: None.

Total 0

HB 395 - Senate Amendments - Representative Wagoner moved Senate amendments to **HB 395** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 554 - Senate Amendments - Representative B. Smith moved Senate amendments to **HB 554** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

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Nays: Ballance, Galt, Gibson, Hansen, Hertz, Mehlhoff, Randall, Redfield, Regier, Schwaderer, C. Smith, White, Zolnikov.

Total 13

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 20 - Representative D. Moore moved **SB 20** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Brodehl, Cook, Doane, Fitzpatrick, Galt, Glimm, Halvorson, Kerns, Miller, O'Neil, Osmundson, Randall, Warburton, Zolnikov.

Total 14

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 69 - Representative Lenz moved **SB 69** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 86

Nays: Ankney, J. Bennett, Berry, Brodehl, Court, Cuffe, Doane, Kerns, Miller, Noonan, O'Neil, Schwaderer, Shaw, Zolnikov.
Total 14

Voted Absentee: Knudsen, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 107 - Representative B. Bennett moved **SB 107** be concurred in.

SB 107 - Representative Kary moved **SB 107**, second reading copy, be amended as follows:

1. Title, page 1, line 5.
Following: "SECTIONS"
Strike: remainder of line 5 through "45-1-205," on line 6

Following: "45-2-101"
Strike: ", "
Insert: "AND"
Following: "45-5-505"
Strike: ", " through "52-3-803"

2. Page 1, line 10 through page 9, line 11.
Strike: section 1 through section 3 in their entirety
Renumber: subsequent sections

3. Page 11, line 17.
Following: "means"
Insert: "nonconsensual sexual contact or sexual intercourse between two persons of the same sex, an adult and a child of the same sex, or"

4. Page 19, line 4 through page 22, line 10.
Strike: section 6 through section 8 in their entirety
Renumber: subsequent sections

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Amendment **not** adopted as follows:

Yeas: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 42

Nays: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Flynn, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 57

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

SB 107 - Representative B. Bennett moved **SB 107** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 64

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, O'Neil, Osmundson, Randall, Regier, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Mr. Speaker.

Total 36

Voted Absentee: Knudsen, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 - Representative Lavin moved **SB 108** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Brodehl, Cook, Cuffe, Doane, Greef, Halvorson, Hansen, Hollandsworth, Kerns, Knudsen, Laszloffy, Lenz, O'Neil, Osmundson, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, Zolnikov.

Total 24

Voted Absentee: Knudsen, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 179 - Representative Pomnichowski moved **SB 179** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

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Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Harris, Howard, Kerns, Lenz, Osmundson, Reichner, C. Smith.

Total 12

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: Ankney.

Total 1

SB 200 - Representative Cuffe moved **SB 200** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 85

Nays: Boland, Boss Ribs, Brockie, Court, Eck, MacDonald, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Whitford, Wilmer, Wilson, Woods.

Total 15

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 236 - Representative Ankney moved **SB 236** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara,

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O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Brodehl, Doane, Edmunds, Kerns, Redfield, C. Smith, Zolnikov.

Total 7

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 294 - Representative Lang moved **SB 294** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: Knudsen, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair MacDonald moved the Committee of the Whole report be adopted. Report adopted as follows:

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Total 91

Nays: J. Bennett, Doane, Glimm, Halvorson, Hansen, Ingraham, Warburton.
Total 7

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: Regier.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 23 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 92

Nays: Harris, Howard, Jones, Kary, C. Smith, Zolnikov, Mr. Speaker.
Total 7

Voted Absentee: None.

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Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 24 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods.

Total 87

Nays: Edmunds, Fiscus, Fitzpatrick, Jones, Kary, Kerns, Pomnichowski, C. Smith, Warburton, Wilson, Zolnikov, Mr. Speaker.

Total 12

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 37 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Mr. Speaker.

Total 85

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Nays: B. Bennett, Boss Ribs, Coffin, Court, Eck, Hill, Lieser, MacDonald, Pomnichowski,
Regier, Swanson, Whitford, Wilson, Zolnikov.
Total 14

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

HB 71 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell,
Cook, Court, Curtis, Dudik, Eck, Ehli, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom,
Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham,
Jacobson, Jones, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney,
McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez,
Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires,
Steenberg, Swanson, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 69

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Galt,
Glimm, Hansen, Harris, Kerns, Lang, Laszloffy, O'Neil, Osmundson, Randall, Redfield, Regier,
Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Welborn, Zolnikov, Mr. Speaker.
Total 30

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

HB 106 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Clark, Connell, Cook,
Court, Cuffe, Curtis, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef,
Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven,
Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch,
MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill,
Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier,
Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson,

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Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: B. Bennett, Boss Ribs, Brockie, Brodehl, Coffin, Dudik, Edmunds, Gursky, Hill, Kerns, McNally, Peppers, Pomnichowski, Steenberg, Whitford, Wilson.

Total 16

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 131 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Glimm, Halvorson, Jones, Kary, Kerns, Lang, Noonan, Osmundson, Randall, Redfield, Regier, Vance, Warburton, Washburn, White, Zolnikov.

Total 23

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 146 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson,

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Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 79

Nays: B. Bennett, Boland, Boss Ribs, Court, Dudik, Eck, Gursky, Hill, Lieser, Lynch, MacDonald, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Whitford, Williams, Wilson, Woods.
Total 20

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

HB 162 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

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HB 187 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Cook, Gursky, Lieser, Lynch, Mehlhoff, Pomnichowski, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 189 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Cook, Cuffe, Fitzpatrick, Flynn, Jones, Kerns, O'Neil, Schwaderer, C. Smith, Warburton, Welborn, Zolnikov.

Total 13

Voted Absentee: None.

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Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 195 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Pomnichowski, Wilson.

Total 2

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 203 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner,

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Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 40

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

HB 250 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Ballance, O'Neil.
Total 2

Voted Absentee: None.

Excused: Knudsen.
Total 1

Absent or not voting: None.
Total 0

HB 256 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Mr. Speaker.

Total 93

Nays: Ballance, Fitzpatrick, Miller, Pomnichowski, Wilson, Zolnikov.

Total 6

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 274 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Cook, Court, Curtis, Dudik, Eck, Hill, Jacobson, Lynch, McCarthy, McChesney, McClafferty, Mehlhoff, Noonan, Pease-Lopez, Pierson, Pomnichowski, Schreiner, B. Smith, Squires, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 299 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Kary, Kerns, Welborn.

Total 3

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 352 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: J. Bennett, Glimm, Hansen, Harris, Kary, Miller, Regier, Schwaderer, White.

Total 9

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

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HB 459 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr.

Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 485 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

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Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 508 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 510 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

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Nays: None.

Total 0

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HB 513 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 85

Nays: B. Bennett, Brockie, Coffin, Court, Dudik, Eck, Gursky, Hill, Neill, Pomnichowski, Squires, Williams, Wilson, Woods.

Total 14

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

HJR 9 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith,

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Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Wilmer, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Coffin, Court, Dudik, Eck, Gursky, Hill, Lieser, MacDonald, McCarthy, McNally, Neill, Pomnichowski, Steenberg, White, Williams, Wilson, Woods.

Total 18

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 69** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 108** be moved from the Committee of the Whole to the Appropriations committee.

Representative Dudik moved to change her vote on **HJR 9** from Yes to No. Without objection, so ordered.

Majority Leader Vance moved to appoint a Conference Committee on **HB 184** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/9/2013

Representative Fiscus, Vice Chair

Representative Kary

Representative Curtis

Majority Leader Vance moved to appoint a Conference Committee on **HB 395** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/9/2013

Representative Wagoner, Vice Chair

Representative Randall

Representative Williams

SB 401 was transmitted to the House after the deadline for Revenue Bills. As per Joint Rule 40-200, Majority Leader Vance moved to receive **SB 401** into the House for consideration. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Court, Fitzpatrick, Galt, Halvorson, Randall, Reichner, Zolnikov.

Total 7

Voted Absentee: None.

Excused: Knudsen.

Total 1

Absent or not voting: None.

Total 0

SPECIAL ORDERS OF THE DAY

Speaker Blasdel welcomed to the House, Landen Phillips, Montana's representative of the Children's Miracle Network hospitals and our ambassador for the 18 million children treated each year.

Representative Cary Smith read the following proclamation:

A JOINT PROCLAMATION OF THE MONTANA LEGISLATURE

Commending Landen Phillips, a five-year-old Billings boy who has been treated at Shodair Children's Hospital, and whose enthusiasm, determination, and spirit has sustained him and his family through significant health challenges resulting from two rare genetic conditions.

Whereas, Children's Miracle Network Hospitals, the international alliance of premier children's hospitals in the United States and abroad, spotlights the heroic battles of children like Landen with varied illnesses and health challenges.

Whereas, Landen Phillips will represent Montana in the Children's Miracle Network Hospitals program honoring remarkable children who have encountered severe medical conditions and have endured to inspire others.

Whereas, Landen Phillips has a rare genetic condition, experienced by less than 100 people

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worldwide, yet ever rarer is his determination and indomitable spirit to live as an active and vibrant 5-year-old Montanan despite his health challenges.

Whereas, Landen has been selected for his courage, tenacity, and perseverance as the sole representative of children's genetic conditions in the state of Montana, and an ambassador for the 18 million children treated each year at Children's Miracle Network hospitals.

Now, therefore be it resolved by the 63rd Montana Legislature that the members of this body honor Landen Phillips for his spirit and inspiration in the face of significant medical challenges, and convey to him their sincere wishes for safe travel and memorable experiences during his year as Montana's Champion.

Signed by: Jeff Essmann, President of the Senate
Jon Sesso, Senate Minority Leader

Mark Blasdel, Speaker of the House
Chuck Hunter, House Minority Leader

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, April 10, 2013. Motion carried.

House adjourned at 2:30 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 10, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Laszloffy. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

BILLS (O'Hara, Chair):

4/10/2013

Correctly printed: **HJR 21, SB 138, SB 162, SB 178, SB 196.**

Correctly engrossed: **SB 114, SB 226.**

Correctly enrolled: **HB 9, HB 23, HB 24, HB 37, HB 71, HB 78, HB 95, HB 104, HB 106, HB 122, HB 146, HB 162, HB 187, HB 189, HB 195, HB 203, HB 250, HB 256, HB 274, HB 299, HB 336, HB 344, HB 352, HB 448, HB 459, HB 461, HB 485, HB 508, HB 510, HB 513, HB 522, HB 546, HB 552, HB 554, HJR 9, HJR 14.**

Examined by the sponsor and found to be correct: **HB 23, HB 37, HB 71, HB 146, HB 162, HB 187, HB 189, HB 195, HB 250, HB 256, HB 274, HB 352, HB 459, HB 508, HB 510, HB 513, HJR 9.**

Signed by the Speaker at 8:05 a.m., April 11, 2013: **HB 23, HB 30, HB 37, HB 71.**

Signed by the Speaker at 8:10 a.m., April 11, 2013: **HB 146, HB 162, HB 187, HB 189.**

Signed by the Speaker at 8:15 a.m., April 11, 2013: **HB 195, HB 250, HB 256, HB 274, HB 352, HB 396, HB 446.**

Signed by the Speaker at 8:20 a.m., April 11, 2013: **HB 410, HB 459, HB 508, HB 510, HB 513, HJR 9.**

Signed by the Chief Clerk of the House at 10:11 a.m., April 11, 2013: **HB 352, HB 396, HB 410, HB 446, HJR 9.**

Signed by the Chief Clerk of the House at 10:15 a.m., April 11, 2013: **HB 23, HB 30, HB 459, HB 508, HB 510, HB 513.**

Signed by the Chief Clerk of the House at 10:17 a.m., April 11, 2013: **HB 37.**

Signed by the Chief Clerk of the House at 10:20 a.m., April 11, 2013: **HB 71, HB 146.**

Signed by the Chief Clerk of the House at 10:21 a.m., April 11, 2013: **HB 162.**

Signed by the Chief Clerk of the House at 10:22 a.m., April 11, 2013: **HB 187, HB 189, HB 195, HB 250.**

Signed by the Chief Clerk of the House at 10:23 a.m., April 11, 2013: **HB 256.**

Signed by the Chief Clerk of the House at 10:25 a.m., April 11, 2013: **HB 274.**

Signed by the President at 8:30 a.m., April 10, 2013: **HB 281.**

Signed by the President at 8:38 a.m., April 10, 2013: **HB 182,**

Delivered to the Governor for approval at 9:15 a.m., April 10, 2013: **HB 182, HB 281.**

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REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair): 4/9/2013
SB 114, be concurred in. Report adopted.
SB 138, be concurred in. Report adopted.

FISH, WILDLIFE AND PARKS (Welborn, Chair): 4/9/2013
SB 178, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 380, introduced by Vincent, referred to Business and Labor.
SB 401, introduced by Sesso, referred to Appropriations.
SB 405, introduced by Olson, Debby Barrett, Blasdel, D. Brown, Knudsen, Sales, Sonju, Tutvedt, Vance, referred to State Administration.
SB 408, introduced by Olson, Sonju, Tutvedt, referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 79 - Senate Amendments - Representative Berry moved Senate amendments to **HB 79** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

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Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Halvorson.

Total 1

HB 100 - Senate Amendments - Representative Ehli moved Senate amendments to **HB 100** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 157 - Senate Amendments - Representative Connell moved Senate amendments to **HB 157** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 301 - Senate Amendments - Representative Halvorson moved Senate amendments to **HB 301** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Gursky, Lynch, McNiven, Noonan, Pease-Lopez.
Total 5

Voted Absentee: Warburton, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 310 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 310** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 473 - Senate Amendments - Representative Reichner moved Senate amendments to **HB 473** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: Warburton, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 497 - Senate Amendments - Representative White moved Senate amendments to **HB 497** be concurred in. Motion **failed** as follows:

Yeas: Ballance, Berry, Connell, Cook, Doane, Hagstrom, Halvorson, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Moore, Osmundson, Redfield, C. Smith, Vance, Warburton, White.

Total 24

Nays: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 76

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 544 - Senate Amendments - Representative Reichner moved Senate amendments to **HB 544** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Mr. Speaker.

Total 84

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Nays: Curtis, Fiscus, Kerns, Lynch, Miller, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Schwaderer, Squires, Whitford, Williams, Woods, Zolnikov.

Total 16

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 21 - Representative Hansen moved **HJR 21** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schwaderer, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 88

Nays: Boland, Connell, Court, Hagstrom, Kerns, Lynch, Noonan, Redfield, Schreiner, Shaw, Squires, Welborn.

Total 12

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 162 - Representative Lang moved **SB 162** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan,

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O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Ankney.

Total 1

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Halvorson, Welborn.

Total 2

SB 196 - Representative Doane moved **SB 196** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 85

Nays: Bangerter, Berry, Connell, Fitzpatrick, Hagan, Hagstrom, Hoven, Howard, Jacobson, Lavin, Moore, O'Hara, Salomon, Shaw, Welborn.

Total 15

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 226 - Representative Salomon moved **SB 226** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie,

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Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: B. Bennett, Court, Curtis, Dudik, Lavin, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Pease-Lopez, Pomnichowski, Schreiner, Williams.

Total 14

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: White.

Total 1

Voted Absentee: None.

Excused: Warburton.

Total 1

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Absent or not voting: Washburn, Zolnikov.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 104 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Zolnikov, Mr. Speaker.

Total 84

Nays: Boland, Court, Curtis, Doane, Eck, Hill, McNally, Neill, Peppers, Pomnichowski, Price, Williams, Wilmer, Wilson, Woods.

Total 15

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

HB 554 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

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Nays: Ballance, Brodehl, Galt, Gibson, Hertz, Jones, Redfield, Regier, Reichner, Schwaderer, C. Smith, White, Zolnikov.

Total 13

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 20 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 81

Nays: Brodehl, Cuffe, Doane, Fitzpatrick, Galt, Glimm, Halvorson, Harris, Kerns, Miller, O'Neil, Osmundson, Randall, Schwaderer, C. Smith, Welborn, Zolnikov, Mr. Speaker.

Total 18

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 107 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams,

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Wilmer, Wilson, Woods, Zolnikov.

Total 64

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, O'Neil, Osmundson, Randall, Regier, C. Smith, Vance, Wagoner, Washburn, White, Mr. Speaker.

Total 35

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 179 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Harris, Howard, Kerns, Lang, Lenz, Osmundson, C. Smith.

Total 12

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 200 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell,

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Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Eck, Gursky, Hill, MacDonald, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Whitford, Wilson, Woods.

Total 18

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

SB 236 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Brodehl, Doane, Edmunds, Kerns, Redfield, Zolnikov.

Total 6

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

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SB 294 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: None.
Total 0

Voted Absentee: None.

Excused: Warburton.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved **SB 226** be moved from the Committee of the Whole to the Appropriations committee.

Representative Eck moved to change her vote on **HB 104** from Yes to No. Without objection, so ordered.

Representative Lavin moved to change his vote on **SB 107** from Not Voting to Yes. Without objection, so ordered.

Majority Leader Vance moved to appoint a Conference Committee on **HB 100** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/9/2013

Representative Ehli, Vice Chair
Representative Hagstrom
Representative Noonan

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Majority Leader Vance moved to appoint a Conference Committee on **HB 301** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/10/2013

Representative Halvorson, Vice Chair
Representative Pomnichowski
Representative Washburn

Majority Leader Vance moved to appoint a Conference Committee on **HB 473** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/10/2013

Representative Reichner, Vice Chair
Representative Boland
Representative Galt

Majority Leader Vance moved to appoint a Conference Committee on **HB 497** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/10/2013

Representative White, Vice Chair
Representative Lavin
Representative Schreiner

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, April 11, 2013. Motion carried.

House adjourned at 1:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
April 11, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Shaw. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives G. Bennett and Calf Boss Ribs, excused. Quorum present.

BILLS (O'Hara, Chair):

4/11/2013

Correctly printed: **HJR 20, HJR 22, HJR 26, HJR 27, SB 84, SB 203, SB 231, SB 301, SB 302, SB 348, SB 355, SB 357.**

Correctly engrossed: **SB 158, SB 175, SB 191, SB 264, SB 280, SB 342, SB 369.**

Correctly enrolled: **HB 391, HB 392, HB 564.**

Examined by the sponsor and found to be correct: **HB 9, HB 24, HB 78, HB 95, HB 104, HB 106, HB 122, HB 203, HB 299, HB 336, HB 344, HB 448, HB 461, HB 485, HB 522, HB 546, HB 552, HB 554, HJR 14.**

Transmitted to the Senate: **SB 20, SB 107, SB 179, SB 200, SB 236, SB 294.**

Signed by the Speaker at 4:00 p.m., April 11, 2013: **HB 9, HB 24, HB 78, HB 95.**

Signed by the Speaker at 4:05 p.m., April 11, 2013: **HB 104, HB 122, HB 203, HB 299.**

Signed by the Speaker at 4:10 p.m., April 11, 2013: **HB 336, HB 344, HB 448.**

Signed by the Speaker at 4:15 p.m., April 11, 2013: **HB 461, HB 485, HB 522, HB 546.**

Signed by the Speaker at 4:20 p.m., April 11, 2013: **HB 552, HB 554, HJR 14.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 11, 2013: **HB 9, HB 24, HB 78, HB 95, HB 104, HB 122, HB 203, HB 299, HB 336, HB 344, HB 448, HB 461, HB 485, HB 522, HB 546, HB 552, HB 554, HJR 14.**

Signed by the President at 5:15 p.m., April 11, 2013: **HB 30, HB 71, HB 146, HB 187, HB 189, HB 195, HB 256, HB 274, HB 352, HB 459, HB 508, HB 510, HB 513, HJR 9.**

Signed by the President at 5:26 p.m., April 11, 2013: **HB 23, HB 446.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-first, sixty-second, sixty-third, sixty-fourth, and sixty-fifth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/10/2013

SB 203, be concurred in. Report adopted.

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SB 302, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

4/11/2013

SB 264, be amended as follows:

1. Title, line 6.

Strike: "REVISING THE DEFINITION OF "HOME STATE";"

2. Title, line 8.

Strike: "SECTIONS 33-17-102 AND"

Insert: "SECTION"

3. Page 2, line 9.

Following: "(8)"

Insert: "(a)"

4. Page 2, following line 10.

Insert: "(b) The term does not include a cooperative organized and transacting business in this state pursuant to Title 35, chapter 18, its subsidiaries, or any other entity affiliated with the cooperative or its subsidiaries through common ownership."

5. Page 8, line 4 through page 11, line 9.

Strike: section 10 in its entirety

Renumber: subsequent sections

6. Page 11, line 12.

Following: "public adjuster"

Insert: "-- education and examination exemption"

7. Page 11, line 20 through line 22.

Strike: ". If" on line 20 through "." on page 22

Insert: ";

8. Page 11, line 23.

Following: "(c)"

Insert: "except as provided in subsection (4),"

9. Page 11, line 26.

Following: "state"

Insert: "in this state"

10. Page 12, line 1 through line 8.

Strike: "A" on line 1 through "securities." on line 8

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11. Page 12, following line 8.

Insert: "(4) (a) Subject to the provisions of subsection (4)(b), an individual who applies for a nonresident adjuster license in this state and who was previously licensed in another state may not be required to complete any prelicensing education or examination.

(b) The exemption in subsection (4)(a) is available only if the individual is currently licensed in the other state or the individual's application is received within 90 days of the cancellation of the individual's previous license and the other state issues a certification or the state's database records indicate that, at the time of the cancellation, the individual was in good standing in that state."

Renumber: subsequent subsections

And, as amended, be concurred in. Report adopted.

EDUCATION (Hansen, Chair):

4/10/2013

HJR 22, do pass. Report adopted.

SB 175, be amended as follows:

1. Title, page 1, line 10 through line 12.

Strike: "REDIRECTING" on line 10 through "DISTRICTS;" on line 12

2. Title, page 1, line 14.

Following: "PERFORMANCE;"

Insert: "STRENGTHENING SAFEGUARDS TO PROTECT THE PRIVACY OF STUDENT DATA;"

3. Title, page 1, line 14 through line 15.

Strike: "THE NATURAL" on line 14 through "PAYMENT AND" on line 15

4. Title, page 1, line 17.

Strike: "REVISING AND"

5. Title, page 1, line 19.

Following: "BUDGET;"

Insert: "INCREASING THE MAXIMUM AMOUNT OF OIL AND NATURAL GAS PRODUCTION TAXES THAT A SCHOOL DISTRICT MAY RETAIN TO 150% OF THE SCHOOL DISTRICT'S MAXIMUM BUDGET;"

6. Title, page 1, line 21.

Following: "THIRD"

Insert: "AND FOURTH"

7. Title, page 2, line 10.

Strike: "20-7-102,"

Strike: "20-9-141,"

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8. Page 3, following line 25.

Insert: "(3) The office of public instruction may spend an amount up to the amount of data-for-achievement payment funds received from school districts to access and use the statewide data system for the purposes of developing, upgrading, administering, and maintaining the statewide data system."

9. Page 6, line 6 through line 20.

Strike: section 3 in its entirety

Renumber: subsequent sections

10. Page 9, following line 16.

Insert: "(9) In addition to the data privacy protections in subsection (1)(b), the superintendent of public instruction may provide the information gathered, maintained, and distributed pursuant to subsection (7) and any other individual data only to the office of public instruction, the school district where the student is or has been enrolled, the parent, and the student. The superintendent of public instruction may not share, sell, or otherwise release this information to any for-profit business, nonprofit organization, public-private partnership, governmental unit, or other entity unless the student's parent has provided written consent specifying the data to be released, the reason for the release, and the recipient to whom the data may be released."

Renumber: subsequent subsections

11. Page 9, line 21 through page 11, line 8.

Strike: section 5 in its entirety

Renumber: subsequent sections

12. Page 11, line 17 through line 24.

Strike: subsection (b) in its entirety

Renumber: subsequent subsections

13. Page 12, line 16.

Strike: "."

Insert: ", "

14. Page 12, line 19.

Strike: "(i)"

Strike: "\$300,000 for"

15. Page 12, line 19 through line 23.

Strike: "for school" on line 19 through "over 800" on line 23

16. Page 12, line 25.

Strike: "."

Insert: ", "

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17. Page 12, line 28.

Strike: "(i)"

Strike: "\$50,000 for"

18. Page 12, line 28 through page 13, line 2.

Strike: "for school" on page 12, line 28 through "over 250" on page 13, line 2

19. Page 13, line 5.

Strike: "."

Insert: ", "

20. Page 13, line 8.

Strike: "(A)"

Strike: "\$50,000 for"

21. Page 13, line 8 through line 12.

Strike: "for school" on line 8 through "over 250" on line 12

22. Page 13, line 14.

Strike: "."

Insert: ", "

23. Page 13, line 17.

Strike: "(A)"

Strike: "\$100,000 for"

24. Page 13, line 17 through line 21.

Strike: "for the school" on line 17 through "over 450" on line 21

25. Page 14, line 4 through line 11.

Strike: subsection (10) in its entirety

Renumber: subsequent subsections

26. Page 15, line 22 through line 23.

Strike: "state" on line 22 through "funding" on line 23

Insert: "direct state aid"

27. Page 15, line 23.

Following: "entitlements"

Strike: " "

Insert: "and any increases in state funding of"

Following: "[section 2]"

Strike: " "

Following: "and"

Insert: "in"

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28. Page 15, line 26.

Following: "and"

Insert: "propose"

29. Page 15, line 27.

Following: "over"

Insert: "the highest"

Following: ~~"any of"~~

Insert: "any of"

30. Page 16, line 23.

Strike: "130%"

Insert: "150%"

31. Page 17, line 1.

Strike: "32"

Insert: "30"

32. Page 17, line 2.

Strike: "last month following"

Insert: "month immediately following the month in which"

33. Page 17, line 3.

Following: "subsection (3)"

Insert: "is made"

34. Page 17, line 9.

Strike: "130%"

Insert: "150%"

35. Page 17, line 13.

Strike: "130%"

Insert: "150%"

36. Page 17, line 24.

Strike: "130%"

Insert: "150%"

37. Page 18, line 4.

Strike: "130%"

Insert: "150%"

38. Page 20, line 14 through line 15.

Strike: "and to" on line 14 through "on" on line 15

Insert: ", "

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39. Page 20, line 15.

Following: "year,"

Insert: "and the third Monday in April of the prior school fiscal year,"

40. Page 20, line 16.

Strike: "three"

Insert: "four"

41. Page 25, line 5.

Following: "an"

Insert: "anticipated"

42. Page 25, line 12.

Strike: "estimated"

Insert: "anticipated"

43. Page 25, line 16.

Strike: "estimated"

Insert: "enrollment used to calculate the budgeted"

44. Page 25, line 17.

Strike: "ANB calculation period"

Insert: "school fiscal year"

45. Page 25, line 19.

Strike: "estimated"

Insert: "adjusted"

46. Page 25, line 20.

Strike: "ANB"

Insert: "average number belonging"

47. Page 25, line 23.

Strike: "25"

Insert: "40"

48. Page 25, line 27 through page 26, line 1.

Strike: "the increase" on page 25, line 27 through the second "entitlement" on page 26, line 1

Insert: "the maximum allowable increase to the average number belonging is equal to the adjusted enrollment as determined by the superintendent of public instruction in subsection (3) minus the sum of:

(a) the enrollment used to calculate the budgeted average number belonging for the ensuing school fiscal year; and

(b) the lesser of 40 students or 4% of the enrollment used to calculate the budgeted average number belonging for the ensuing school fiscal year"

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49. Page 26, line 6.

Strike: "estimated"

Insert: "adjusted"

50. Page 26, line 30.

Strike: "as provided for in"

Insert: "in the same manner as provided in"

51. Page 27, line 11 through line 12.

Strike: ", the" on line 11 through "20-9-330" on line 12

52. Page 29, line 14.

Following: "payment;"

Insert: "and"

53. Page 29, line 15 through line 16.

Strike: "and" on line 15 through "payment;" on line 16

54. Page 29, line 22.

Following: "payment;"

Insert: "and"

55. Page 29, line 23 through line 24.

Strike: "and" on line 23 through "payment;" on line 24

56. Page 30, line 2.

Following: "payment₁,"

Insert: "and"

57. Page 30, line 2 through line 3.

Strike: ", and the" on line 2 through "payment" on line 3

58. Page 39, line 28.

Strike: "27"

Insert: "25"

59. Page 43, line 15.

Strike: "compliance with"

Insert: "the same manner as provided in"

60. Page 43, line 30.

Following: "county"

Insert: ", which must be calculated by dividing the total funds available for distribution by the total number of quality educators, as defined in 20-4-502, employed by the qualifying school districts in the county in the immediately preceding school fiscal year. School districts

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receiving the funds may place the funds in any budgeted fund of the district at the discretion of the board of trustees"

61. Page 45, line 11 through line 12.

Strike: "as part" on line 11 through "20-9-306" on line 12

62. Page 45, line 30.

Following: "curriculum"

Insert: "adopted by the board of public education on November 4, 2011, without the fiscal analysis required by 20-7-101(2) and (3), "

63. Page 46, line 9.

Strike: "130%"

Insert: "150%"

64. Page 46, line 30.

Strike: "27, AND 31"

Insert: "25, 29, and 30"

65. Page 47, line 1.

Strike: "27, AND 31"

Insert: "25, 29, and 30"

66. Page 47, line 2.

Strike: "26"

Insert: "24"

67. Page 47, line 3.

Strike: "26"

Insert: "24"

68. Page 47, following line 3.

Insert: "COORDINATION SECTION. **Section 34. Coordination instruction.** If both House Bill No. 378 and [this act] are passed and approved, then House Bill No. 378 is void."

Renumber: subsequent sections

69. Page 47, line 10.

Strike: "28 AND 29"

Insert: "26 and 27"

And, as amended, be concurred in. Report adopted.

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SB 342, be amended as follows:

1. Title, page 1, line 5.

Following: "DESCRIPTION;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 1, following line 18.

Strike: everything after the enacting clause

Insert: "NEW SECTION. Section 1. Montana Indian language preservation pilot program. (1) There is a Montana Indian language pilot preservation program. The program is established to support efforts of Montana tribes to preserve Indian languages in the form of spoken, written, or sign language and to assist in the preservation and curricular goals of Indian education for all pursuant to Article X, section 1(2), of the Montana constitution and Title 20, chapter 1, part 5.

(2) (a) The state-tribal economic development commission established in 90-1-131 shall administer the program and, in collaboration with the Montana historical society, Montana public television organizations, the state director of Indian affairs, and each tribal government located on the seven Montana reservations and the Little Shell Chippewa tribe, shall adopt program rules by July 31, 2013.

(b) The program rules must address performance and output standards, distribution of funds, accounting of funds, and use of funds.

(c) The performance and output standards must include:

(i) development of audio and visual recordings;

(ii) creation of dictionaries and other reference materials, including audio, visual, electronic, or written dictionaries; and

(iii) creation and publication of curricula, which may include electronic curricula.

(d) The performance and output standards may include:

(i) language classes;

(ii) language immersion camps;

(iii) storytelling; and

(iv) publication of literature.

(3) The state-tribal economic development commission shall distribute any funding appropriated for this purpose through a competitive grant award process. The commission shall submit a request for grant applications to each tribal government located on the seven Montana reservations and to the Little Shell Chippewa tribe. Each tribal government that submits an eligible application must receive a grant of up to one-eighth of the total funding appropriated for this purpose.

(4) (a) To be eligible for a grant, a grant application must meet the following specifications:

(i) The application must describe how the proposed project will meet the performance and output standards adopted under subsection (2) by September 15, 2014.

(ii) The application must define quarterly benchmarks that represent intermediate steps toward achieving the required performance and output standards. Each grant awarded will be disbursed by the commission in quarterly installments. Second and subsequent disbursements may not be released until the related quarterly benchmarks have been met.

(b) The commission may disburse funds ahead of the proposed disbursement schedule

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for projects that have attained the established performance and output benchmarks.

(c) Grants awarded under this section may not be used to pay for salaries.

(5) By September 15, 2014, at least two copies of any tangible goods produced under this section, including but not limited to audio or visual recordings, literature, dictionaries, or other publications, must be submitted to the Montana historical society for the benefit of related language preservation efforts and for preservation and archival purposes.

(6) Tribal governments receiving program funds shall form local program advisory boards. Members of a local program advisory board may include but are not limited to representatives from any of the entities listed in subsection (8). Each local program advisory board shall work with college tribal language instructors and individuals who evaluate applicants for licensure as a class 7 American Indian language and culture specialist to develop and adopt measurable and specific outcome requirements for their respective language preservation programs.

(7) (a) Each local program advisory board shall provide reports on expenditures of grant funds, attainment of quarterly benchmarks, and overall program progress to the state-tribal relations committee at each meeting during the interim.

(b) The state-tribal relations committee shall report any findings, comments, or recommendations regarding each local program and the Montana Indian language preservation pilot program to the 64th legislature.

(8) Tribal governments are encouraged to maximize the impact of grant funds by forming partnerships among state and tribal entities and leveraging existing resources for the preservation of Indian languages and the education of all Montanans in a way that honors the cultural integrity of American Indians. Suggested partner entities include but are not limited to:

- (a) the governor's office of Indian affairs;
- (b) school districts located on reservations;
- (c) tribal colleges;
- (d) tribal historic preservation offices;
- (e) tribal language and cultural programs;
- (f) units of the Montana university system;
- (g) the Montana historical society;
- (h) the office of public instruction;
- (i) Montana public television organizations;
- (j) school districts not located on reservations; and
- (k) the Montana state library.

(9) State entities that operate film and video studios and equipment shall cooperate with each local tribal preservation program in the production of materials for preservation and archival purposes.

(10) Any cultural and intellectual property rights from program efforts belong to the tribe. Use of the cultural and intellectual property may be negotiated between the tribe and other partnering entities."

Insert: "NEW SECTION. Section 2. Appropriation. There is appropriated from the state general fund to the state-tribal economic development commission \$1 million in each year of the biennium beginning July 1, 2013, for the purposes described in [section 1]. Any remaining funds that are unencumbered as of June 30, 2015, must revert to the general fund."

Insert: "NEW SECTION. Section 3. Notification to tribal governments. The secretary of state shall send a copy of [this act] to each tribal government located on the seven Montana

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reservations and to the Little Shell Chippewa tribe."

Insert: "NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 20, chapter 9, and the provisions of Title 20, chapter 9, apply to [section 1]."

Insert: "NEW SECTION. Section 5. Effective date. [This act] is effective on passage and approval."

Insert: "NEW SECTION. Section 6. Termination. [This act] terminates June 30, 2015."

And, as amended, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

4/10/2013

HJR 26, do pass. Report adopted.

SB 355, be concurred in. Report adopted.

SB 369, be amended as follows:

1. Title, page 1, line 8 through line 9.

Following: "LAND"

Strike: "AND" on line 8 through "2035" on line 9

Insert: ", CABIN OR HOME SITES, AND CABIN SITE IMPROVEMENTS"

2. Title, page 1, line 10.

Strike: "PERMANENT AND IMMOVABLE"

Insert: "CABIN SITE"

3. Title, page 1, line 13.

Following: "77-2-318,"

Strike: "AND"

Following: "77-2-363,"

Insert: " AND 77-2-366,"

4. Page 3, line 3.

Strike: "On" through "2035, the"

Insert: "The"

5. Page 3, line 17.

Strike: "permanent and immovable"

Insert: "cabin site"

6. Page 4, line 4.

Strike: "permanent and immovable"

Insert: "'cabin site"

7. Page 4, line 5.

Strike: "5"

Insert: "6"

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8. Page 5, line 2.

Following: "board"

Strike: "or"

Insert: ", "

Following: "department,"

Insert: "or the cabin or home site lessee,"

9. Page 5.

Following: line 15

Insert: "Section 5. Section 77-2-366, MCA, is amended to read:

"77-2-366. Land banking and state land cabin and home sites -- report reports to environmental quality council.(1)(a) The department shall provide a report to the environmental quality council by ~~the~~ July 1 prior to each regular legislative session that describes the results of the land banking program in detail. (b) At a minimum, the report must summarize the sale and purchase transactions made through the program by type, location, acreage, value, and trust beneficiary. The environmental quality council shall make any recommendations that it determines necessary regarding the implementation of the state land banking process, including recommendations for legislation.

(2) Because it is the legislature's intent that the board implement the provisions of 77-2-318(1) in a timely manner, on or before July 1 of each year, the department, in consultation with the appropriate stakeholders, shall report to the environmental quality council by providing a summary of land sales of those lands that were state land cabin or home sites pursuant to 77-2-318 and efforts by the department to comply with the requirements of 77-2-318(1)."

Renumber: subsequent sections

10. Page 5, line 17.

Strike: "permanent"

11. Page 5, line 20.

Strike: "permanent and immovable"

Insert: "cabin site"

12. Page 5, line 25.

Strike: "PERMANENT AND IMMOVABLE"

Insert: "cabin site"

13. Page 5, line 28.

Strike: "permanent and immovable"

Insert: "cabin site"

14. Page 6, line 3.

Strike: "permanent and immovable"

Insert: "cabin site"

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15. Page 6, line 8.

Strike: "permanent"

Insert: "cabin site"

16. Page 6, line 9.

Strike: "permanent"

Insert: "cabin site"

17. Page 6, line 11.

Strike: "PERMANENT AND IMMOVABLE"

Insert: "cabin site"

18. Page 6, line 12.

Strike: "permanent and immovable"

Insert: "cabin site"

19. Page 6, line 14.

Strike: "permanent and immovable"

Insert: "cabin site"

20. Page 6, line 16.

Strike: ""permanent and immovable"

Insert: ""cabin site"

21. Page 6, line 18.

Strike: "THAT" through "FOUNDATION"

22. Page 6, line 19.

Strike: "THAT" through "FOUNDATION"

23. Page 6, line 20.

Strike: "THAT" through "FOUNDATION"

24. Page 7, line 2.

Strike: "5"

Insert: "6"

25. Page 7, line 3.

Strike: "5"

Insert: "6"

And, as amended, be concurred in. Report adopted.

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TAXATION (Miller, Chair):

4/11/2013

SB 231, be concurred in. Report adopted.

SB 280, be amended as follows:

1. Title, page 1, line 12.

Strike: "15-2-302,"

2. Page 9, line 1 through page 10, line 9.

Strike: section 5 through section 6 in their entirety

Renumber: subsequent sections

3. Page 12, line 23.

Following: "review"

Insert: "review under 15-1-211 and"

4. Page 13, line 30.

Strike: "[Sections 2 and 6] are"

Insert: "[Section 2] is"

5. Page 14, line 2.

Strike: section 13 in its entirety

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/10/2013

HB 97, introduced by Wilmer

HB 147, introduced by Redfield

HB 259, introduced by Hunter

HB 403, introduced by Hill

HB 524, introduced by Clark

Senate joint resolutions passed and transmitted to the House for concurrence:

4/10/2013

SJR 22, introduced by Jent

SJR 24, introduced by Buttrey

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MESSAGES FROM THE GOVERNOR

April 10, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:
On Wednesday, April 10, I signed the following House bills:

House Bill 65 - Pomnichowski
House Bill 463 - G. Bennett

These bills were delivered to the Secretary of State's Office today.

Sincerely,

STEVE BULLOCK
Governor

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 27, introduced by Williams, referred to Natural Resources.

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 22, introduced by Jent, referred to Judiciary.

SJR 24, introduced by Buttrey, Olson, referred to Business and Labor.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Coffin in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

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HB 259 - Senate Amendments - Representative Hunter moved Senate amendments to **HB 259** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: J. Bennett, Boss Ribs, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277 - Representative Vance moved consideration of **HB 277** be placed at the bottom of the second reading board. Motion carried.

HJR 20 - Representative Dudik moved **HJR 20** be adopted. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 78

Nays: Ballance, Cuffe, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Howard, Ingraham, Knudsen, Lang, Lavin, Randall, Redfield, C. Smith, Vance, Washburn, Welborn, White.
Total 21

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Voted Absentee: J. Bennett, Boss Ribs, Aye.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

SB 84 - Representative Hill moved **SB 84** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 89

Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Greef, Halvorson, Kerns, Regier, Vance, White.

Total 11

Voted Absentee: Boss Ribs, Aye; J. Bennett, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 158 - Representative Berry moved **SB 158** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn,

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White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: J. Bennett, Boss Ribs, Aye.

Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

SB 191 - Representative Salomon moved **SB 191** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Ballance, J. Bennett, Brodehl, Ingraham, Kerns, Miller, Schwaderer, Zolnikov.

Total 8

Voted Absentee: Boss Ribs, Aye; J. Bennett, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 301 - Representative Salomon moved **SB 301** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill,

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Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 89

Nays: J. Bennett, Brodehl, Doane, Fiscus, Hagstrom, Kerns, Miller, O'Neil, Schwaderer, Warburton, Zolnikov.
Total 11

Voted Absentee: Boss Ribs, Aye; J. Bennett, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 348 - Representative Salomon moved **SB 348** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 82

Nays: J. Bennett, Berry, Brodehl, Cook, Doane, Edmunds, Ehli, Galt, Ingraham, Kerns, Miller, O'Neil, Randall, Redfield, Schwaderer, Warburton, White, Zolnikov.
Total 18

Voted Absentee: Boss Ribs, Aye; J. Bennett, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 357 - Representative Steenberg moved **SB 357** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 80

Nays: J. Bennett, Brodehl, Edmunds, Fitzpatrick, Glimm, Hagstrom, Hoven, Jones, Kerns, Lavin, Miller, O'Neil, Osmundson, Randall, Regier, Schwaderer, Wagoner, Warburton, White, Zolnikov.
Total 20

Voted Absentee: Boss Ribs, Aye; J. Bennett, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 277** be concurred in. Motion carried as follows:

Yeas: Ankney, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Greef, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pierson, Price, Randall, Regier, Salomon, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Wilmer, Wilson, Mr. Speaker.
Total 51

Nays: Ballance, Bangerter, B. Bennett, J. Bennett, Boss Ribs, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, MacDonald, McNiven, Miller, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Redfield, Reichner, Schreiner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Williams, Woods, Zolnikov.
Total 49

Voted Absentee: J. Bennett, Boss Ribs, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Coffin moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Doane, Fitzpatrick, Redfield, Schwaderer, Squires.

Total 5

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: Welborn.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 79 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy,

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McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Halvorson.

Total 1

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

HB 157 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

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HB 310 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

HB 544 passed as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNally, McNiven, Moore, Neill, O'Hara, Osmundson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Shaw, B. Smith, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Mr. Speaker.

Total 69

Nays: B. Bennett, Boland, Brockie, Curtis, Dudik, Eck, Gursky, Hill, Jacobson, Kerns, Lieser, Lynch, MacDonald, McClafferty, Mehlhoff, Miller, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Price, Schreiner, Schwaderer, Squires, Steenberg, Wilson, Zolnikov.

Total 28

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

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Absent or not voting: Howard.

Total 1

HJR 21 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schwaderer, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: Connell, Court, Eck, Fitzpatrick, Jacobson, Kerns, Mehlhoff, Noonan, Pomnichowski, Redfield, Schreiner, Shaw, Squires, Welborn.

Total 14

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

SB 114 concurred in as follows:

Yeas: Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Woods, Zolnikov, Mr. Speaker.

Total 57

Nays: Ankney, B. Bennett, Boland, Brockie, Cook, Court, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson.

Total 41

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Voted Absentee: None

Excused: J. Bennett, Boss Ribs.
Total 2

Absent or not voting: None.
Total 0

SB 138 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 58

Nays: B. Bennett, Berry, Boland, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.
Total 2

Absent or not voting: None.
Total 0

SB 162 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods,

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Zolnikov, Mr. Speaker.

Total 94

Nays: Ankney, Brodehl, Shaw, Welborn.

Total 4

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

SB 196 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 87

Nays: Fitzpatrick, Hoven, Howard, Lavin, Pomnichowski, Reichner, Salomon, Shaw, Welborn, Wilson, Woods.

Total 11

Voted Absentee: None

Excused: J. Bennett, Boss Ribs.

Total 2

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 265** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 380** be moved from the Business and Labor committee to the Fish, Wildlife and Parks committee.

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Representative McCarthy moved to change his vote on **HB 310** from Not Voting to No. Without objection, so ordered.

Representative Washburn moved to change his vote on **SB 107** from Yes to No. Without objection, so ordered.

SPECIAL ORDERS OF THE DAY

Mr. Speaker welcomed students from the Hawthorne Elementary School in Bozeman. Representative Wilmer introduced the 105 member choir. The choir was under the direction of Debi Biegel, 2006 Montana Teacher of the Year. Each student was presented with a certificate of honorary membership to the Montana House of Representatives.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Friday, April 12, 2013. Motion carried.

House adjourned at 2:15 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 12, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative MacDonald. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Schwaderer, excused. Quorum present.

BILLS (O'Hara, Chair):

4/12/2013

Correctly printed: **HJR 24, HJR 28, HJR 29, HJR 30, SB 28, SB 240, SB 342, SB 386, SJR 21.**

Correctly engrossed: **SB 96, SB 143, SB 173, SB 178, SB 201, SB 265, SB 387, SB 392.**

Correctly enrolled: **HB 79, HB 118, HB 145, HB 157, HB 259, HB 310, HB 544, HJR 16, HJR 17.**

Examined by the sponsor and found to be correct: **HB 79, HB 118, HB 145, HB 157, HB 310, HB 391, HB 392, HB 544, HB 564, HJR 16, HJR 17.**

Transmitted to the Senate: **HJR 21, SB 114, SB 138, SB 162, SB 196.**

Signed by the Speaker at 4:15 p.m., April 12, 2013: **HB 79, HB 145, HB 157, HB 310, HB 391, HB 392, HB 544, HB 564, HJR 17.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 12, 2013: **HB 79, HB 145, HB 157, HB 310, HB 391, HB 392, HB 544, HB 564, HJR 17.**

Signed by the President at 5:20 p.m., April 11, 2013: **HB 122, HB 336.**

Signed by the President at 10:15 a.m., April 12, 2013: **HB 37, HB 162, HB 250, HB 396, HB 410.**

Signed by the President at 10:20 a.m., April 12, 2013: **HB 9, HB 24, HB 78, HB 95, HB 104, HB 203, HB 299, HB 344, HB 448, HB 461, HB 485, HB 522, HB 546, HB 552, HB 554, HJR 14.**

Delivered to the Governor for approval at 4:06 p.m., April 12, 2013: **HB 9, HB 23, HB 24, HB 30, HB 37, HB 71, HB 78, HB 95, HB 104, HB 122, HB 146, HB 162, HB 187, HB 189, HB 195, HB 203, HB 250, HB 256, HB 274, HB 299, HB 336, HB 344, HB 352, HB 396, HB 410, HB 446, HB 448, HB 459, HB 461, HB 485, HB 508, HB 513, HB 522, HB 546, HB 510, HB 552, HB 554.**

Delivered to the Secretary of State at 2:50 p.m., April 12, 2013: **HJR 14.**

REPORTS OF STANDING COMMITTEES

AGRICULTURE (Randall, Chair):

4/11/2013

SB 143, be amended as follows:

1. Page 15, line 4.

Following: line 3

Insert: "COORDINATION SECTION. **Section 12. Coordination instruction.** If both House Bill No. 396 and [this act] are passed and approved, then House Bill No. 396 is void."

And, as amended, be concurred in. Report adopted.

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APPROPRIATIONS (Ankney, Chair):
SB 265, be amended as follows:

4/12/2013

1. Title, page 1, line 5.

Following: "RIGHTS;"

Insert: "REQUIRING AN INTERIM STUDY; PROVIDING AN APPROPRIATION;"

2. Page 1, line 9.

Following: line 8

Insert: "NEW SECTION. Section 1. Interim study. (1) The water policy interim committee, provided for in 5-5-231, shall conduct a study of issues related to the February 26, 2013, water rights settlement between the Confederated Salish and Kootenai tribes, the state, and the United States. The review must include but is not limited to an analysis of water rights claimed by the tribes.

(2) The committee may request research and legal analysis from staff of the legislative services division, the department of natural resources and conservation, and any other individual or entity.

(3) The committee shall solicit information from the Confederated Salish and Kootenai tribes, the state, the United States, the Flathead joint board of control, existing water right owners, and other stakeholders.

(4) The committee shall meet at least once in Flathead County, Lake County, Lincoln County, and Sanders County. The committee may hold other meetings outside of Helena.

(5) The committee may provide recommendations to the reserved water rights compact commission.

(6) The committee shall prepare a report to submit to the 64th legislature and provide a recommendation on the adoption of the compact and the continued suspension of water rights adjudication.

(7) The committee may propose necessary legislation to implement a water rights settlement between the Confederated Salish and Kootenai tribes, the state, and the United States.

(8) All aspects of the study, including presentation and review requirements, must be concluded prior to September 15, 2014."

Renumber: subsequent sections

3. Page 2, line 13.

Following: line 12

Insert: "NEW SECTION. Section 4. Appropriation. There is appropriated \$40,000 from the general fund for the biennium beginning July 1, 2013, to the legislative branch for the purposes described in [section 1]."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

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SEVENTY-SEVENTH LEGISLATIVE DAY - APRIL 12, 2013

BUSINESS AND LABOR (Berry, Chair):
SB 173, be amended as follows:

4/12/2013

1. Title, page 1, line 6.

Following: "LAWS;"

Insert: "REQUIRING REPORTING BY THE STATE FUND PRIOR TO IMPLEMENTING PAY ADJUSTMENTS;"

Following: "USE"

Insert: "A ONE-TIME GENERAL FUND TRANSFER AND INCOME ON THAT TRANSFER PRIOR TO USING"

2. Title, page 1, line 8.

Strike: "1990"

Insert: "2013"

3. Title, page 1, line 12.

Strike: "ELIMINATING"

Insert: "PROVIDING"

4. Title, page 1, line 13.

Following: the first "A"

Insert: "ONE-TIME"

5. Title, page 1, line 15.

Strike: line 15

6. Title, page 1, line 17.

Strike: "IMMEDIATE"

7. Page 3, line 2.

Following: line 1

Insert: "(3) The state fund may not approve or implement any pay adjustments, including bonuses or merit pay, to any employee or member of executive management until the state fund reports to the office of budget and program planning and to the legislative finance committee in a public hearing, which includes public comment, the following information:

(a) the financial performance and the accomplishment of the goals set in the most recent business plan adopted pursuant to 39-71-2315;

(b) the actuarial soundness of the funds for injuries and occupational diseases occurring both prior to and on or after July 1, 1990;

(c) any dividends disbursed in the current or previous fiscal year pursuant to 39-71-2323;

(d) an analysis of the proportional fairness and equity regarding pay adjustments in comparison to the compensation to other state employees, changes in the premiums paid by employers and premiums in comparison to the other workers' compensation plans, and any changes in the benefits received by injured workers;

(e) the attainment of the 2.5-to-1.0 reserve-to-equity ratio; and

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(f) the impact of the bonuses on pension determination for state fund employees or executive management."

8. Page 3, line 8.

Strike: "The"

Insert: "Subject to 39-71-2352, the"

9. Page 3, line 10.

Following: "other"

Insert: "other"

Strike: "other than as specified in this section"

10. Page 3, line 12.

Strike: "and subsection (3)"

11. Page 3, line 14 through line 17.

Strike: subsection (3) in its entirety

12. Page 4, line 16.

Following: "1990."

Insert: "(b)"

13. Page 4, line 17.

Following: "1990,"

Insert: "and prior to July 1, 2013,"

14. Page 4, line 18.

Following: "1990."

Insert: "(c) Premiums paid to the state fund based upon wages payable on or after July 1, 2013, may be used to administer and pay claims for injuries resulting from accidents or occupational diseases that occur either before July 1, 1990, or after July 1, 1990, subject to depletion of the 2013 general fund transfer and income on that transfer."

Renumber: subsequent subsections

15. Page 4, line 19.

Strike: "As provided in subsection (4),"

Insert: "After expending the one-time transfer from the general fund and any income from that transfer to administer and pay claims for injuries resulting from accidents or occupational diseases that occurred before July 1, 1990,"

16. Page 4, line 20.

Strike: "1990"

Insert: "2013"

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17. Page 5, line 3.

Following: "FROM"

Strike: "THE STATE" through "39-71-2323"

Insert: "the 2013 one-time general fund transfer or income on that transfer unless those amounts are inadequate, in which case the payments must be as provided in subsection (1)(c)"

18. Page 5, lines 11 through 16.

Strike: subsection (4) in its entirety

Renumber: subsequent subsection

19. Page 5, line 21 through line 26.

Strike: section 6 in its entirety

Insert: "NEW SECTION. Section 6. General fund transfer. There is a transfer from the general fund of \$43.989 million to the state compensation insurance fund account provided for in 39-71-2321(2)(a)."

20. Page 5, line 28.

Strike: "on passage and approval"

Insert: "July 1, 2013"

And, as amended, be concurred in. Report adopted.

LOCAL GOVERNMENT (Bangerter, Chair):

4/11/2013

SB 386, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

4/10/2013

SB 201, be amended as follows:

1. Page 4, line 3.

Following: line 2

Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both Senate Bill No. 201 and Senate Bill No. 217 are passed and approved and if both contain a section authorizing the attorney general to intervene in litigation on federal forest management projects, then those sections are void and the new [section 2 of Senate Bill No. 201] must read as follows:

"NEW SECTION. Section 2. Federal forest management projects -- attorney general authority to intervene. (1) The attorney general has the authority to intervene in litigation or appeals on federal forest management projects.

(2) The authority provided in subsection (1) includes the authority to fulfill the purposes of Title 76, chapter 13, to intervene in litigation or appeals on federal forest management projects that could affect watershed protection or restoration."

And, as amended, be concurred in. Report adopted.

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STATE ADMINISTRATION (Ingraham, Chair):

4/12/2013

HJR 24, do pass. Report adopted.

SB 387, be amended as follows:

1. Title, page 1, line 11.

Following: "~~LAWS~~;"

Insert: "PROVIDING THAT COUNTY ATTORNEYS MAY PROSECUTE ONLY CRIMINAL VIOLATIONS OF CAMPAIGN PRACTICE LAWS;"

2. Title, page 1, line 13.

Following: "~~COMPLAINTS~~;"

Insert: "CLARIFYING THE STANDING REQUIREMENT FOR THE FILING OF ETHICS COMPLAINTS;"

3. Title, page 1, line 14.

Following: "~~2-2-136~~;"

Insert: "2-2-136,"

4. Title, page 1, line 15.

Following: "~~13-37-113~~;"

Insert: "13-37-113,"

5. Page 2, line 4.

Strike: "selected"

6. Page 2, following line 5.

Insert: "(2) The members appointed under subsections (1)(a) and (1)(b) shall submit the list of three nominees to the governor within 30 days of the members' appointment."

Renumber: subsequent subsections

7. Page 2, line 11.

Strike: "CIVIL OR"

8. Page 4, following line 20.

Insert: "**Section 4.** Section 2-2-136, MCA, is amended to read:

"2-2-136. Enforcement for state officers, legislators, and state employees -- referral of complaint involving county attorney. (1) (a) A person alleging a violation of this part by a state officer, legislator, or state employee may file a complaint with the commissioner of political practices if the person has standing to file the complaint. The commissioner does not have jurisdiction for a complaint concerning a legislator if a legislative act is involved in the complaint. The commissioner also has jurisdiction over complaints against a county attorney that are referred by a local government review panel pursuant to 2-2-144 or filed by a person directly with the commissioner pursuant to 2-2-144(6). The commissioner may request additional information from the complainant or the person who is the subject of the complaint to make an initial determination of whether the complaint states a potential violation of this part.

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(b) The commissioner may dismiss a complaint when the person who filed the complaint has failed to demonstrate standing or may dismiss a complaint that is frivolous, does not state a potential violation of this part, or does not contain sufficient allegations to enable the commissioner to determine whether the complaint states a potential violation of this part. If the issues presented in a complaint have been addressed and decided in a prior decision and the commissioner determines that no additional factual development is necessary, the commissioner may issue a summary decision without holding an informal contested case hearing on the complaint.

(c) Except as provided in subsection (1)(b), if the commissioner determines that the complaint states a potential violation of this part, the commissioner shall hold an informal contested case hearing on the complaint as provided in Title 2, chapter 4, part 6. The commissioner shall issue a decision based upon the record established before the commissioner.

(d) A person has standing to allege a violation when the person:

(i) alleges a past, present, or threatened injury to a property right or a civil right; and

(ii) alleges an injury that is distinguishable from an injury to the public generally, although the injury does not need to be exclusive to the person alleging the injury.

(2) (a) Except as provided in subsection (2)(b), if the commissioner determines that a violation of this part has occurred, the commissioner may impose an administrative penalty of not less than \$50 or more than \$1,000.

(b) If the commissioner determines that a violation of 2-2-121(4)(b) has occurred, the commissioner may impose an administrative penalty of not less than \$500 or more than \$10,000.

(c) If the violation was committed by a state employee, the commissioner may also recommend that the employing state agency discipline the employee. The employing entity of a state employee may take disciplinary action against an employee for a violation of this part, regardless of whether the commissioner makes a recommendation for discipline. The commissioner may assess the costs of the proceeding against the person bringing the charges if the commissioner determines that a violation did not occur or against the officer or employee if the commissioner determines that a violation did occur.

(3) A party may seek judicial review of the commissioner's decision, as provided in chapter 4, part 7, of this title, after a hearing, a dismissal, or a summary decision issued pursuant to subsection (1)(b).

(4) Except for records made public in the course of a hearing held under subsection (1) and records that are open for public inspection pursuant to Montana law, a complaint and records obtained or prepared by the commissioner in connection with an investigation or complaint are confidential documents and are not open for public inspection. The complainant and the person who is the subject of the complaint shall maintain the confidentiality of the complaint and any related documents released to the parties by the commissioner until the commissioner issues a decision. However, the person who is the subject of a complaint may waive, in writing, the right of confidentiality provided in this subsection. If a waiver is filed with the commissioner, the complaint and any related documents must be open for public inspection. The commissioner's decision issued after a hearing is a public record open to inspection.

(5) When a complaint is filed, the commissioner may issue statements or respond to inquiries to confirm that a complaint has been filed, to identify against whom it has been filed, and to describe the procedural aspects and status of the case.

(6) The commissioner may adopt rules to carry out the responsibilities and duties assigned by this part."

Renumber: subsequent sections

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9. Page 5, line 14.

Strike: "AN"

Insert: "a criminal"

10. Page 5, line 14 through line 15.

Strike: "THE" on line 14 through "OR" on line 15

11. Page 8, line 22.

Following: "by"

Insert: "that the individual has been identifiably and specifically harmed by"

12. Page 10, following line 4.

Insert: "**Section 15.** Section 13-37-113, MCA, is amended to read:

"13-37-113. Hiring of attorneys --prosecutions. The commissioner may hire or retain attorneys who are properly licensed to practice before the supreme court of the state of Montana to prosecute civil violations of Title 13, chapter 35, ~~of this title or this chapter pursuant to [section 3].~~ Any attorney retained or hired shall exercise the powers of a special attorney general, and the attorney may prosecute, subject to the control and supervision of the commissioner and the provisions of 13-35-240, 13-37-124, and 13-37-125, any criminal or civil action arising out of a violation of any provision of chapter 35 of this title or this chapter. All prosecutions must be brought in the state district court for the county in which a violation has occurred or in the district court for Lewis and Clark County. The authority to prosecute as prescribed by this section includes the authority to:

~~—— (1) institute proceedings for the arrest of persons charged with or reasonably suspected of criminal violations of chapter 35 of this title or this chapter;~~

~~—— (2) attend and give advice to a grand jury when cases involving criminal violations of chapter 35 of this title or this chapter are presented;~~

~~—— (3) draw and file indictments, informations, and criminal complaints;~~

~~—— (4) prosecute all actions for the recovery of debts, fines, penalties, or forfeitures accruing to the state or county from persons convicted of violating chapter 35 of this title or this chapter; and~~

~~—— (5) do any other act necessary to successfully prosecute a violation of any provision of chapter 35 of this title or this chapter."~~

Renumber: subsequent sections

13. Page 10, line 25 through line 26.

Strike: "APPROPRIATE" on line 25 through "OR THE" on line 26

14. Page 11, line 2 through line 3.

Strike: "APPROPRIATE" on line 2 through "OR THE" on line 3

15. Page 11, line 10.

Strike: "CIVIL OR"

16. Page 11, line 12.

Strike: "CIVIL OR"

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17. Page 11, line 16 through line 18.

Strike: "IF THE" on line 16 through "LEGAL ACTION." on line 18

18. Page 11, line 22.

Strike: "CIVIL OR"

19. Page 11, line 30 through page 12, line 3.

Strike: subsection (4) in its entirety

And, as amended, be concurred in. Report adopted.

SB 392, be amended as follows:

1. Page 3, following line 23.

Insert: "COORDINATION SECTION. Section 2. Coordination instruction. If both Senate Bill No. 387 and [this act] are passed and approved, then 13-35-225(7)(b) of [this act] must read as follows:

"(b) When notifying the candidate or campaign committee under subsection (7)(a), the commissioner shall include a statement that if the candidate or political committee fails to bring the material into compliance as required under this section, the candidate or political committee is subject to an administrative penalty as provided in [section 3 of Senate Bill No. 387]."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TAXATION (Miller, Chair):

4/12/2013

SB 96, be amended as follows:

1. Title, page 1, line 5.

Following: "TAXPAYER;"

Insert: "INCREASING THE CLASS EIGHT BUSINESS EQUIPMENT TAX EXEMPTION; PROVIDING THAT THE EXEMPTION APPLIES TO CLASS EIGHT PROPERTY THAT EXCEEDS THE EXEMPTION AMOUNT;"

2. Page 1, line 19 through page 3, line 30.

Strike: section 1 in its entirety

Insert: "**Section 1.** Section 15-1-123, MCA, is amended to read:

"15-1-123. Reimbursement for class eight rate reduction and exemption -- distribution -- appropriations.(1) For the tax rate reductions in ~~15-6-138~~ 15-6-138(3), the increased exemption amount in 15-6-138(4), ~~and for the effective tax rate reductions on property under 15-6-145 because of the rate reductions required by the amendment~~ amendments of 15-6-138 in section 2, Chapter 411, Laws of 2011, and [section 2 of Senate Bill No. 96], and the effective tax rate reductions on property under 15-6-145 because of the increased exemption amount required by the amendment of 15-6-138 in [section 2 of House Bill No. 96], the department shall, by June 1, 2012, and for each calendar year that the tax rate is adjusted under 15-6-138(4)

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for the fiscal years ending June 30, 2014, and June 30, 2015, estimate for each local government, as defined in 15-1-121(5), each school district, the county retirement fund under 20-9-501, the countywide school transportation reimbursement under 20-10-146, each tax increment financing district, and the 6-mill university levy for the purposes of 15-10-108; the difference between property tax collections under 15-6-138; as amended by section 2, Chapter 411, Laws of 2011, and [section 2 of Senate Bill No. 96] and under 15-6-145 and the property tax revenue that would have been collected under 15-6-138 and 15-6-145 if 15-6-138 had not been amended by section 2, Chapter 411, Laws of 2011, and [section 2 of Senate Bill No. 96]. The difference is the annual reimbursable amount for each local government, each school district, each tax increment financing district, and the 6-mill levy for the support of the Montana university system under 15-10-108.

(2) (a) The department shall distribute the ~~reimbursement~~ reimbursements calculated in subsection (1) to local governments with the entitlement share payments under 15-1-121(7) for ~~fiscal year 2012 and for all other the fiscal years in which rate reductions occur~~ year ending June 30, 2015. Local government reimbursements for subsequent years are made pursuant to the entitlement share recomputation as provided in 15-1-121(6).

(b) For ~~fiscal year 2012 and all other the fiscal years in which rate reductions occur~~ year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each local government. By ~~August 1 following each of those fiscal years~~ June 15, 2014, the department shall distribute the amount determined under this subsection (2)(b) for local governments as provided in 15-1-121(6)(a).

(3) (a) The office of public instruction shall distribute the ~~reimbursement~~ reimbursements calculated in subsection (1) to school districts with the block grants pursuant to 20-9-630 for ~~fiscal year 2012 and all other the fiscal years in which rate reductions occur~~ year ending June 30, 2015. School district reimbursements for subsequent fiscal years are made pursuant to 20-9-630.

(b) For ~~fiscal year 2012 and all other the fiscal years in which rate reductions occur~~ year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each school district. By ~~November 30, 2014 following each of those fiscal years~~, the office of public instruction shall distribute the amount determined under this subsection (3)(b) in the same manner as the block grant is distributed by fund under 20-9-630.

(4) (a) For ~~each the fiscal year ending June 30, 2015 beginning after fiscal year 2012 and all other fiscal years in which rate reductions occur~~, the amount determined under subsection (1) for each tax increment financing district must be added to the reimbursement amount for the tax increment financing district as provided in 15-1-121(8)(b) if the tax increment financing district is still in existence. If a tax increment financing district that is entitled to a reimbursement under this section is not listed under 15-1-121(8)(b), the reimbursement must be made to that tax increment financing district at the same time as other districts.

(b) For ~~fiscal year 2012 and all other the fiscal years in which rate reductions occur~~ year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for each tax increment financing district. By ~~August 1 following each of those fiscal years~~ June 15, 2014, the department shall distribute the amount determined under this subsection (4)(b) to each tax increment financing district as provided in 15-1-121(8) and to any other tax increment financing district that is entitled to a reimbursement under this section.

(5) (a) For ~~fiscal year 2012 and all other the fiscal years in which rate reductions occur~~ year

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ending June 30, 2015, the amount determined under subsection (1) for the 6-mill university levy must be added to current collections and reimbursements for the support of the Montana university system as provided in 15-10-108.

(b) For ~~fiscal year 2012 and all other~~ the fiscal years in which rate reductions occur year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property for the 6-mill university levy. By ~~August 1 following each of those fiscal years~~ June 15, 2014, the department of administration shall transfer the amount determined under this subsection (5)(b) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(c) Beginning in fiscal year 2013, the department of administration shall transfer the amounts determined under this subsection (5) from the general fund to the state special revenue fund for the support of the Montana university system as provided in 15-10-108.

(6) (a) The office of public instruction shall distribute the ~~reimbursement~~ reimbursements calculated in subsection (1) to the countywide retirement fund under 20-9-501 for ~~fiscal year 2012 and all other~~ the fiscal years in which rate reductions occur year ending June 30, 2015. One-half of the amount must be distributed in November and the remainder in May.

(b) For ~~fiscal year 2012 and all other~~ the fiscal years in which rate reductions occur year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By ~~November 30, 2014 following each of those fiscal years~~, the office of public instruction shall distribute the amount determined under this subsection (6)(b) to the countywide retirement fund.

(7) (a) The office of public instruction shall distribute the ~~reimbursement~~ reimbursements calculated in subsection (1) to the county transportation reimbursement under 20-10-146 for ~~fiscal year 2012 and all other~~ the fiscal years in which rate reductions occur year ending June 30, 2015. The reimbursement must be made at the same time as countywide school transportation block grants are distributed under 20-9-632.

(b) For ~~fiscal year 2012 and all other~~ the fiscal years in which rate reductions occur year ending June 30, 2014, the department shall determine from the amount calculated under subsection (1) the amount that is attributable to personal property taxes that are not a lien on real property in the county. By ~~November 30, 2014 following each of those fiscal years~~, the office of public instruction shall distribute the amount determined under this subsection (7)(b) to the county transportation reimbursement.""

3. Page 5, line 17.

Following: "value"

Insert: "in excess of the exemption amount in subsection (4)"

4. Page 5, line 30 through page 6, line 1.

Strike: subsection (4) in its entirety

Insert: "(4) The first \$250,000 in market value of class eight property of a person or business entity is exempt from taxation."

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5. Page 8.

Following: line 7

Insert: "COORDINATION SECTION. Section 6. Coordination instruction. If both House Bill No. 472 and [this act] are passed and approved, then House Bill No. 472 is void."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

SB 240, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/11/2013

HB 118, introduced by Eck

HB 145, introduced by Harris

HB 391, introduced by G. Bennett

HB 392, introduced by Doane

HB 564, introduced by Edmunds

House joint resolutions concurred in and returned to the House: 4/11/2013

HJR 16, introduced by Eck

HJR 17, introduced by Gibson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/11/2013

HB 54, introduced by Ingraham

HB 133, introduced by Berry

HB 545, introduced by Reichner

Senate joint resolution passed and transmitted to the House for concurrence: 4/11/2013

SJR 23, introduced by Tutvedt

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolutions were introduced, read first time, and referred to committees:

HJR 28, introduced by Neill, referred to Agriculture.

HJR 29, introduced by Gursky, Arntzen, Laszloffy, referred to Judiciary.

HJR 30, introduced by Hansen, referred to Taxation.

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The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 23, introduced by Tutvedt, referred to Taxation.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative McClafferty in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 61 - Senate Amendments - Representative Lynch moved Senate amendments to **HB 61** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, C. Smith, Wagoner, White, Zolnikov, Mr. Speaker.

Total 38

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 120 - Senate Amendments - Representative Ingraham moved Senate amendments to **HB 120** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck,

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Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Schwaderer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 147 - Senate Amendments - Representative Redfield moved Senate amendments to **HB 147** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McClafferty, McNally, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: Schwaderer, Aye.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 171 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 171** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Zolnikov, Mr. Speaker.

Total 88

Nays: B. Bennett, Coffin, Court, Dudik, MacDonald, Miller, Pease-Lopez, Peppers, Pomnichowski, Wilmer, Wilson, Woods.

Total 12

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 233 - Senate Amendments - Representative Lavin moved Senate amendments to **HB 233** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

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Nays: J. Bennett, Kerns, Miller, Zolnikov.

Total 4

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 239 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 239** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 258 - Senate Amendments - Representative B. Smith moved Senate amendments to **HB 258** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill,

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Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 94

Nays: Ballance, Miller, Redfield, Regier, White, Zolnikov.

Total 6

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 286 - Minority Leader Hunter moved consideration of **HB 286** be placed at the bottom of the second reading board. Motion carried.

HB 431 - Senate Amendments - Representative Knudsen moved Senate amendments to **HB 431** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 71

Nays: B. Bennett, Boland, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, McChesney, Mehlhoff, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Schreiner, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 29

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 433 - Senate Amendments - Representative O'Hara moved Senate amendments to **HB 433** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Lavin, Miller.

Total 2

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: Lenz.

Total 1

HB 442 - Senate Amendments - Representative Randall moved Senate amendments to **HB 442** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: B. Bennett, J. Bennett, Berry, Edmunds, Fitzpatrick, Flynn, Glimm, Halvorson, Hansen, Hill, Jones, Miller, Moore, Pease-Lopez, Regier, Reichner, Salomon, White, Wilmer.

Total 19

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Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 464 - Senate Amendments - Representative Clark moved Senate amendments to **HB 464** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 88

Nays: J. Bennett, Brodehl, Doane, Flynn, Glimm, Jones, Kerns, Miller, Randall, Redfield, White, Zolnikov.

Total 12

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 560 - Senate Amendments - Representative Pierson moved Senate amendments to **HB 560** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith,

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C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Brodehl, Wagoner.
Total 2

Voted Absentee: Schwaderer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 28 - Representative Reichner moved **SB 28** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Blyton, Boland, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 80

Nays: Ankney, J. Bennett, Berry, Boss Ribs, Brodehl, Doane, Edmunds, Fiscus, Glimm, Greef, Kary, Kerns, McNally, O'Hara, O'Neil, Randall, Regier, Shaw, Welborn, White.
Total 20

Voted Absentee: Schwaderer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 178 - Representative Welborn moved **SB 178** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hertz, Hill,

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Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 86

Nays: Ankney, Galt, Hagstrom, Hansen, Harris, Kerns, Lavin, O'Neil, Peppers, Randall, Shaw, Warburton, Zolnikov, Mr. Speaker.

Total 14

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 342 - Representative Brockie moved **SB 342** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Knudsen, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 74

Nays: J. Bennett, Blyton, Brodehl, Clark, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Harris, Howard, Ingraham, Kary, Kerns, Lang, Laszloffy, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, C. Smith, Warburton, Zolnikov.

Total 26

Voted Absentee: Schwaderer, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SJR 21 - Representative Hagan moved **SJR 21** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: Schwaderer, Aye.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 286 - Senate Amendments - Representative Brockie moved Senate amendments to **HB 286** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 94

Nays: Brodehl, Doane, Kerns, O'Neil, Redfield, Zolnikov.
Total 6

Voted Absentee: Schwaderer, Aye.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair McClafferty moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Redfield, Reichner.

Total 2

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: Edmunds.

Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 259 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: None.
Total 0

Voted Absentee: None.

Excused: Schwaderer.
Total 1

Absent or not voting: Welborn.
Total 1

HB 277 failed (due to 2/3 vote requirement) as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Eck, Fiscus, Greef, Gursky, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.
Total 54

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Pomnichowski, Redfield, Regier, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Woods, Zolnikov.
Total 45

Voted Absentee: None.

Excused: Schwaderer.
Total 1

Absent or not voting: None.
Total 0

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HJR 20 adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Kerns, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 77

Nays: Ballance, Edmunds, Flynn, Galt, Glimm, Hansen, Howard, Ingraham, Knudsen, Lang, Lavin, McNiven, Miller, Osmundson, Peppers, Randall, Redfield, C. Smith, Vance, White.
Total 20

Voted Absentee: None.

Excused: Schwaderer.
Total 1

Absent or not voting: Cuffe, Halvorson.
Total 2

SB 84 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 83

Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Greef, Hansen, Kary, Kerns, McNiven, Regier, C. Smith, Vance, Wagoner, White, Mr. Speaker.
Total 16

Voted Absentee: None.

Excused: Schwaderer.
Total 1

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Absent or not voting: None.

Total 0

SB 158 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: Halvorson.

Total 1

SB 191 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: Ballance, J. Bennett, Brodehl, Ingraham, Kerns, Welborn, Zolnikov.

Total 7

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Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: None.

Total 0

SB 203 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 92

Nays: J. Bennett, Flynn, Kerns, Lang, C. Smith, Zolnikov.

Total 6

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: Hoven.

Total 1

SB 301 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson,

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Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, Cuffe, Doane, Kerns, Miller, O'Neil, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: None.

Total 0

SB 302 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Cook, Hollandsworth, Kerns, Price, Welborn, Wilmer.

Total 6

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: Whitford.

Total 1

SB 348 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 75

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Flynn, Galt, Ingraham, Jones, Kerns, Knudsen, Lang, Miller, O'Neil, Osmundson, Randall, Redfield, Reichner, C. Smith, Warburton, Welborn, White, Zolnikov, Mr. Speaker.

Total 24

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: None.

Total 0

SB 357 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Edmunds, Fitzpatrick, Flynn, Glimm, Hagstrom, Harris, Hoven, Jones, Kerns, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 26

Voted Absentee: None.

Excused: Schwaderer.

Total 1

Absent or not voting: Squires.

Total 1

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MOTIONS

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 120** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/12/2013

Representative Ingraham, Vice Chair
Minority Leader Hunter
Majority Leader Vance

Majority Leader Vance moved to appoint a Conference Committee on **HB 431** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/12/2013

Representative Knudsen, Vice Chair
Representative Doane
Representative McNally

Representative Halvorson moved to reconsider action on **HB 277** and that **HB 277** be placed on second reading on Saturday, April 13, 2013.

Motion **failed** as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Clark, Cuffe, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kerns, Lang, Laszloffy, Lynch, MacDonald, McNally, Noonan, O'Hara, O'Neil, Osmundson, Pomnichowski, Redfield, Regier, Reichner, Schreiner, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Williams, Wilmer, Zolnikov.
Total 46

Nays: Ankney, Berry, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Curtis, Eck, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Kary, Knudsen, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Pease-Lopez, Peppers, Pierson, Price, Randall, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Wilson, Woods, Mr. Speaker.
Total 52

Voted Absentee: None.

Excused: Schwaderer.
Total 1

Absent or not voting: Salomon.
Total 1

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UNFINISHED BUSINESS

On a **Point of Order** Representative Fitzpatrick questioned whether **HB 277** had passed on third reading since it required a two-thirds of the Legislature vote. He was correct **HB 277** had failed to meet the two-thirds of the Legislature requirement and the vote tabulation was corrected by the House Vote Clerk.

SPECIAL ORDERS OF THE DAY

Representative Brockie thanked the pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, April 13, 2013. Motion carried.

House adjourned at 2:20 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-EIGHTH LEGISLATIVE DAY**

Helena, Montana
April 13, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Clark and the posting of the colors by the Boy Scout Color Guard, Troop 677 from Bozeman, MT. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representatives Bangerter, Schwaderer, and Welborn, excused. Quorum present.

BILLS (O'Hara, Chair):

4/13/2013

Correctly printed: **HJR 22, HJR 26, SB 69, SB 96, SB 108, SB 117, SB 143, SB 264, SB 355, SB 369, SB 401, SJR 20.**

Correctly enrolled: **HB 46, HB 61, HB 64, HB 131, HB 147, HB 171, HB 233, HB 239, HB 258, HB 286, HB 313, HB 433, HB 442, HB 533, HB 560.**

Transmitted to the Senate: **HJR 20, SB 84, SB 158, SB 191, SB 203, SB 301, SB 302, SB 348, SB 357.**

Signed by the Speaker at 12:35 p.m., April 15, 2013: **HB 118, HJR 16.**

Signed by the Chief Clerk of the House at 2:00 p.m., April 15, 2013: **HB 118, HJR 16.**

Signed by the President at 10:15 a.m., April 15, 2013: **HB 79, HB 145, HB 157, HB 310, HB 391, HB 392, HB 544, HJR 17.**

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/12/2013

SB 69, be concurred in. Report adopted.

SB 108, be concurred in. Report adopted.

SB 117, be concurred in. Report adopted.

SB 401, be concurred in. Report adopted.

HUMAN SERVICES (Howard, Chair):

4/12/2013

SJR 20, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/12/2013

HB 46, introduced by Ingraham

HB 64, introduced by Ingraham

HB 313, introduced by Schreiner

HB 533, introduced by Cook

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House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/12/2013

HB 478, introduced by Laszloffy

House bill not concurred in and returned to the House:

4/12/2013

HB 573, introduced by Hagan

House amendments to Senate bills concurred in:

4/12/2013

SB 112, introduced by Blewett

SB 127, introduced by Buttrey

SB 144, introduced by Sesso

SB 242, introduced by Sesso

SB 269, introduced by Walker

House amendments to Senate bills not concurred in:

4/12/2013

SB 198, introduced by Thomas

SB 223, introduced by Caferro

SB 256, introduced by F. Moore

SB 323, introduced by Thomas

House amendments to Senate joint resolution not concurred in:

4/12/2013

SJR 18, introduced by Thomas

HB 100 - The Senate failed to concur in House amendments to **HB 100**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 100**:

4/12/2013

Senator Thomas, Chair

Senator Jergeson

Senator Priest

HB 184 - The Senate failed to concur in House amendments to **HB 184**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 184**:

4/12/2013

Senator Arntzen, Chair

Senator Debby Barrett

Senator Facey

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HB 206 - The Senate failed to concur in House amendments to **HB 206**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 206**:

4/12/2013

Senator Sales, Chair
Senator Blewett
Senator Fielder

HB 301 - The Senate failed to concur in House amendments to **HB 301**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 301**:

4/12/2013

Senator F. Moore, Chair
Senator Arntzen
Senator Facey

HB 395 - The Senate failed to concur in House amendments to **HB 395**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 395**:

4/12/2013

Senator T. Brown, Chair
Senator Phillips
Senator Taylor

HB 473 - The Senate failed to concur in House amendments to **HB 473**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 473**:

4/12/2013

Senator Murphy, Chair
Senator Caferro
Senator Thomas

HB 497 - The Senate failed to concur in House amendments to **HB 497**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **HB 497**:

4/12/2013

Senator Sales, Chair
Senator Boulanger
Senator Jent

HB 297 - The Senate failed to concur in House amendments to **HB 297**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **HB 297**:

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4/13/2013

Senator Sonju, Chair
Senator D. Brown
Senator Vuckovich

SB 26 - The Senate failed to concur in House amendments to **SB 26**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 26**:

4/12/2013

Senator Arthun, Chair
Senator Jergeson
Senator Walker

SB 101 - The Senate failed to concur in House amendments to **SB 101**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 101**:

4/12/2013

Senator Brenden, Chair
Senator Facey
Senator Fielder

SB 133 - The Senate failed to concur in House amendments to **SB 133**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 133**:

4/12/2013

Senator Ripley, Chair
Senator Driscoll
Senator Rosendale

SB 148 - The Senate failed to concur in House amendments to **SB 148**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 148**:

4/12/2013

Senator L. Jones, Chair
Senator Hamlett
Senator Sonju

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Edmunds in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 188 - Senate Amendments - Representative Regier moved Senate amendments to **HB 188** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilson, Zolnikov, Mr. Speaker.
Total 86

Nays: B. Bennett, Boland, Cook, Court, Eck, Gursky, Hill, McNally, Neill, Steenberg, Williams, Wilmer, Woods.
Total 13

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.
Total 0

Absent or not voting: Moore.
Total 1

HB 450 - Senate Amendments - Representative Hagan moved Senate amendments to **HB 450** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B.

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Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 22 - Representative Coffin moved **HJR 22** be adopted. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Greef, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Brodehl, Clark, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagstrom, Hansen, Harris, Howard, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.

Total 36

Voted Absentee: Bangerter, Welborn, Aye; Schwaderer, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 26 - Representative Connell moved **HJR 26** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner,

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Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Brodehl, Court, Doane, Eck, Flynn, Glimm, Hagstrom, Harris, Hill, Kerns.

Total 10

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Representative Hoven moved **SB 96** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 70

Nays: B. Bennett, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McClafferty, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 30

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 231 - Majority Leader Vance moved consideration of **SB 231** be passed for the day. Motion Carried.

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SB 143 - Representative Redfield moved **SB 143** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 51

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Greef, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

Voted Absentee: Bangerter Schwaderer, Aye; Welborn, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 264 - Representative Hagan moved **SB 264** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 77

Nays: Ballance, Blyton, Brodehl, Doane, Galt, Harris, Howard, Jones, Kerns, Knudsen, Lavin, Miller, O'Neil, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.

Total 23

Voted Absentee: Bangerter, Welborn, Aye; Schwaderer, No.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 355 - Representative Connell moved **SB 355** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Boss Ribs, Fitzpatrick, Whitford.

Total 3

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 369 - Representative Lynch moved **SB 369** be concurred in.

SB 369 - Representative Court moved **SB 369**, second reading copy, be amended as follows:

1. Page 3, line 19.

Following: "improvements"

Insert: "less any unpaid lease payments owed to the state by the owner of record of the improvements"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lenz, Lieser, Lynch,

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MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 44

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 56

Voted Absentee: Bangerter, Schwaderer, Welborn, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 369 - Representative Lynch moved **SB 369** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Mr. Speaker.

Total 95

Nays: Court, Pomnichowski, Williams, Woods, Zolnikov.

Total 5

Voted Absentee: Bangerter, Schwaderer, Welborn, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 387 - Representative Hertz moved **SB 387** be concurred in. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Mr. Speaker.

Total 45

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 55

Voted Absentee: Schwaderer, Aye; Bangerter, Welborn, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Edmunds moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Wilmer, Mr. Speaker.

Total 82

Nays: Boss Ribs, Doane, Edmunds, Hertz, Kary, Pease-Lopez, Price, Reichner, B. Smith, Williams, Wilson, Woods.

Total 12

Voted Absentee: None.

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Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: Peppers, Pomnichowski, Zolnikov.

Total 3

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 61 passed as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Halvorson, Hansen, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 38

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: Ballance.

Total 1

HB 147 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 57

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

HB 171 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

HB 233 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary,

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Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: J. Bennett, Coffin, Kerns, Miller, Williams, Zolnikov.
Total 6

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: Fiscus.
Total 1

HB 239 passed as follows:

Yeas: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 56

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 41

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: None.
Total 0

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HB 258 passed as follows:

Yeas: Ankney, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 84

Nays: Ballance, B. Bennett, Cuffe, Dudik, Fiscus, Howard, Jones, Kerns, Miller, Redfield, Regier, White, Zolnikov.

Total 13

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

HB 286 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: Brodehl, Doane, Fiscus, Flynn, Harris, Howard, Kerns, Lang, Miller, O'Hara, O'Neil, Redfield, C. Smith, Zolnikov.

Total 14

Voted Absentee: None.

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Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

HB 433 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Miller.

Total 1

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

HB 442 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

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Nays: J. Bennett, Berry, Court, Eck, Edmunds, Gursky, Hill, Miller, Pease-Lopez, Price, B. Smith, Squires, White, Zolnikov.
Total 14

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: None.
Total 0

HB 464 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 86

Nays: J. Bennett, Brodehl, Doane, Flynn, Glimm, Harris, Kerns, Miller, Redfield, White, Zolnikov.
Total 11

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: None.
Total 0

HB 560 passed as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara,

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O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Brodehl, Glimm, Kerns.

Total 3

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

SB 28 concurred in as follows:

Yeas: Ankney, Ballance, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, Berry, Brodehl, Doane, Greef, Harris, Jones, Kerns, Miller, O'Neil, Randall, Regier, White.

Total 13

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

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SB 178 concurred in as follows:

Yeas: Ballance, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 79

Nays: Ankney, J. Bennett, Fiscus, Galt, Hagstrom, Hansen, Harris, Kerns, Lang, Lavin, O'Neil, Osmundson, Randall, Reichner, Salomon, Warburton, Zolnikov, Mr. Speaker.
Total 18

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: None.
Total 0

SB 342 concurred in as follows:

Yeas: Ankney, Ballance, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jones, Knudsen, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 64

Nays: J. Bennett, Berry, Blyton, Brodehl, Cuffe, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Harris, Hoven, Howard, Ingraham, Kary, Kerns, Lang, Laszloffy, Lavin, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, C. Smith, Wagoner, Warburton, White, Zolnikov.
Total 33

Voted Absentee: None.

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Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

SJR 21 concurred in as follows:

Yeas: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: None.

Total 0

Voted Absentee: None.

Excused: Bangerter, Schwaderer, Welborn.

Total 3

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 96** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 143** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 369** be moved from the Committee of the Whole to the Appropriations committee.

Representative Hagan moved to change his vote on **HB 239** from Yes to No. Without objection, so ordered.

Representative Greef moved to reconsider action on **HB 277** and that **HB 277** be placed on third reading on Monday, April 15, 2013.

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On a **Point of Clarification**, Representative Hansen rose to clarify that if passed **HB 277** would go direct to third reading with no further discussion on the bill.

Motion **passed** as follows:

Yeas: Ankney, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Greef, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, Pease-Lopez, Pierson, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.
Total 58

Nays: Ballance, J. Bennett, Brodehl, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Hara, O'Neil, Osmundson, Peppers, Pomnichowski, Redfield, Regier, C. Smith, Wagoner, Warburton, White, Woods, Zolnikov.
Total 39

Voted Absentee: None

Excused: Bangerter, Schwaderer, Welborn.
Total 3

Absent or not voting: None.
Total 0

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 450** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/13/2013

Representative Hagan, Vice Chair
Representative Boland
Representative Reichner

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 26**. Motion Carried. Speaker Blasdel appointed:

4/13/2013

Representative Regier
Representative Kary
Representative Steenberg

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Majority Leader Vance moved to accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 101**. Motion Carried. Speaker Blasdel appointed:

4/13/2013

Representative Flynn
Representative Jacobson
Representative Welborn

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 133**. Motion Carried. Speaker Blasdel appointed:

4/13/2013

Representative Wagoner
Representative G. Bennett
Representative MacDonald

SPECIAL ORDERS OF THE DAY

Representative Pomnichowski introduced honorary page for the day Eli Kutsch (Bozeman). Eli is a member of Boy Scout Color Guard, Troop 677 .

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Monday, April 15, 2013. Motion carried.

House adjourned at 9:55 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
SEVENTY-NINTH LEGISLATIVE DAY**

Helena, Montana
April 15, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brodehl.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/15/2013

Correctly printed: **HB 277, HJR 18, HJR 31, SB 201, SB 231, SB 240, SB 265, SB 280, SB 370, SB 386, SB 392.**

Correctly engrossed: **SB 117, SB 173, SB 175, SB 282, SB 405, SB 408.**

Correctly enrolled: **HB 188, HB 464, HB 605.**

Examined by the sponsor and found to be correct: **HB 46, HB 61, HB 64, HB 131, HB 147, HB 171, HB 233, HB 239, HB 258, HB 259, HB 286, HB 313, HB 433, HB 442, HB 533, HB 560, HB 605.**

Transmitted to the Senate: **SB 28, SB 178, SB 342, SJR 21.**

Signed by the Speaker at 9:35 a.m., April 16, 2013: **HB 131.**

Signed by the Speaker at 10:35 a.m., April 16, 2013: **HB 46, HB 61, HB 64.**

Signed by the Speaker at 10:40 a.m., April 16, 2013: **HB 147, HB 171, HB 233, HB 239, HB 258, HB 259.**

Signed by the Speaker at 10:55 a.m., April 16, 2013: **HB 286, HB 313, HB 433, HB 442, HB 533, HB 560, HB 605.**

Signed by the Chief Clerk of the House at 9:55 a.m., April 16, 2013: **HB 131.**

Signed by the Chief Clerk of the House at 12:00 p.m., April 16, 2013: **HB 46, HB 61, HB 64, HB 147, HB 171, HB 233, HB 239, HB 258, HB 259, HB 286, HB 313, HB 433, HB 442, HB 533, HB 560, HB 605.**

Signed by the President at 9:20 a.m., April 16, 2013: **HB 118, HJR 16.**

Delivered to the Governor for approval at 11:20 a.m., April 15, 2013: **HB 145, HB 157, HB 310, HB 391, HB 392, HB 544.**

Delivered to the Secretary of State at 10:42 a.m., April 15, 2013: **HJR 9.**

Delivered to the Secretary of State at 1:15 p.m., April 15, 2013: **HB 79, HJR 17.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

4/15/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, April 13, 2013:

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Erik Kelly, Chester
Kaitlyn Skoog, Helena
Margaret Brunell, Anaconda
Colette Werk, Hays
Latrell Kirkaldie, Hays
Reilly Parisot, Helena

and recommend that the following pages of the House be employed as of 1:00 p.m., Monday, April 15, 2013:

Chance Dickman, Miles City
Kassidy Shultz, Boulder
Jessica Riffel, Carter
Charlie McFaddon, Helena
Brandon Hudyma, Helena

Report Adopted.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Ingraham, Chair):
SB 405, be amended as follows:

4/15/2013

1. Title, page 1, line 5.

Strike: "REVISING"

Insert: "ENDING"

Following: "REGISTRATION"

Strike: "AND"

Insert: "ON THE FRIDAY BEFORE ELECTION DAY AND ELIMINATING ELECTION DAY REGISTRATION;"

2. Title, page 1, line 7.

Following: "MONTANA"

Insert: "AT A SPECIAL ELECTION TO BE HELD CONCURRENTLY WITH THE 2014 PRIMARY ELECTION"

3. Page 4, line 27.

Strike: "the general election" through "November"

Insert: "a special election to be held concurrently with the primary election held in the spring of"

4. Page 4, following line 30.

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If House Bill No. 30 is passed and approved, then [this act] is void."

And, as amended, be concurred in. Report adopted.

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SB 408, be amended as follows:

1. Title, page 1, line 6.

Following: "AFFILIATION;"

Insert: "ELIMINATING SEPARATE PARTY BALLOTS AND PROVIDING FOR ONE PRIMARY BALLOT CONTAINING ALL PRIMARY RACES;"

2. Title, page 1, line 10.

Strike: "13-10-311,"

3. Title, page 1, line 13.

Following: "13-14-118,"

Insert: "13-15-201,"

4. Title, page 1, line 14.

Following: "13-16-211,"

Insert: "13-16-412,"

Following: "13-17-103,"

Insert: "13-19-205,"

5. Title, page 1, line 19.

Following: "13-10-305,"

Insert: "13-10-311,"

6. Page 21, line 14 through line 17.

Strike: "ballots," on line 14 through "name" on line 17

Following: line 17

Insert: "(b) (i) In a top two primary election, the political party preference declared by the candidate on the declaration of candidacy under 13-10-201 must appear with the candidate's name on the ballot. The word "preference" must follow the candidate's preferred party, if any. If a candidate has not declared a preference for a political party, the words "no party preference" must appear on the ballot with the candidate's name. Nothing in a top two primary election portion of the ballot may indicate whether a candidate has been endorsed or nominated by a political party. The top two primary portion or portions of the ballot must clearly and conspicuously state that candidates in that section are not nominees or members of or endorsed by or otherwise associated with the candidate's political party preference.

(ii) Information must be printed on the ballot and in the voter information pamphlet provided for in 13-27-401 to inform voters that in the top two primary the two candidates who receive the most votes for the office will advance to a general election regardless of either candidate's political party preference."

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7. Page 21, line 18 through line 19.

Strike: "(b)" on line 18 through "if:" on line 19

Insert: "(2)(a) All offices and ballot issues must appear on one ballot. The ballot must be arranged to eliminate the possibility of widespread voter confusion."

Renumber: subsequent subsections

8. Page 21, line 20.

Strike: "(i) each"

Insert: "Each"

Strike: "is"

Insert: "must be"

Strike: ";

Insert: "."

9. Page 21, line 21 through line 22.

Strike: "(ii)" on line 21 through "with" on line 22

Insert: "(b) With"

10. Page 21, line 23 through page 22, line 3.

Strike: subsection (c) in its entirety

11. Page 22, line 4.

Strike: "(2)"

Insert: "(3)"

Strike: "does"

Insert: "is"

Strike: "need"

Insert: "required"

12. Page 22, line 4 through line 6.

Strike: "for a political party" on line 4 through "(b)" on line 6

Insert: "if"

13. Page 22, line 6.

Strike: "one candidate files for nomination by that party"

Insert: "two candidates file"

14. Page 22, line 8.

Strike: "(3)"

Insert: "(4)"

Strike: "(2)"

Insert: "(3)"

15. Page 22, line 8 through line 9.

Strike: "for a" on line 8 through "party" on line 9

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16. Page 22, line 9 through line 10.

Strike: "for that" on line 9 through the first "party" on line 10

Strike: "for that party" on line 10

17. Page 22, line 12 through line 17.

Strike: subsection (4) through subsection (5) in their entirety

Renumber: subsequent subsections

Insert: "(5)(a) If a partisan primary is held, the ballot must contain the following:

(i) a clear and conspicuous, segregated area for the elector to mark the political party the elector wishes to affiliate with for the purposes of voting in the primary election;

(ii) an option for the elector to mark "none of the above" with respect to political party affiliation; and

(iii) a clear and conspicuous statement that only electors who mark a political party affiliation may vote on the partisan primary portion of the ballot.

(b) A vote cast in a partisan primary may be counted only if the elector has marked an affiliation with one political party, a vote cast in a partisan primary corresponds only to the marked party's primary, and the elector has voted only once for each office."

Renumber: subsequent subsections

18. Page 22, line 20.

Strike: subsection (7) in its entirety

Renumber: subsequent subsections

19. Page 24, line 15 through line 18.

Strike: subsection (2) in its entirety

Renumber: subsequent subsections

20. Page 27, line 14.

Strike: "partisan"

21. Page 34, line 5 through line 7.

Strike: subsection (4) in its entirety

Renumber: subsequent subsections

22. Page 34, line 8 through line 9.

Strike: "Instructions" on line 8 through "ballots." on line 9

23. Page 35, line 16 through line 18.

Strike: subsection (3) in its entirety

Renumber: subsequent subsections

24. Page 38, line 7.

Insert: "**Section 54.** Section 13-15-201, MCA, is amended to read:

"13-15-201. Preparation for count -- absentee ballot count procedures. (1) Subject to 13-10-311, to To prepare for a count of ballots, the counting board or, if appointed, the absentee

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counting board shall take ballots out of the box to determine whether each ballot is single.

(2) The board shall count all ballots to ensure that the total number of ballots corresponds with the total number of names in the pollbook.

(3) If the board cannot reconcile the total number of ballots with the pollbook, the board shall submit to the election administrator a written report stating how many ballots were missing or in excess and any reason of which they are aware for the discrepancy. Each judge on the board shall sign the report.

(4) A ballot that is not marked as official is void and may not be counted unless all judges on the board agree that the marking is missing because of an error by election officials, in which case the ballot must be marked "unmarked by error" on the back and must be initialed by all judges.

(5) If two or more ballots are folded or stuck together to look like a single ballot, they must be laid aside until the count is complete. The counting board shall compare the count with the pollbooks, and if a majority believes that the ballots folded together were voted by one elector, the ballots must be rejected and handled as provided in 13-15-108, otherwise they must be counted.

(6) Only valid absentee ballots may be counted in an election conducted under this chapter.

(7) For the purpose of this chapter, a voted absentee ballot is valid only if:

(a) the elector's signature on the affirmation on the return envelope is verified pursuant to 13-13-241; and

(b) it is received before 8 p.m. on election day, except as provided in 13-21-206 and 13-21-207.

(8) (a) A ballot is invalid if:

(i) problems with the ballot have not been resolved pursuant to 13-13-245;

(ii) any identifying marks are placed on the ballot by the elector; or

(iii) except as provided in subsection (8)(b), more than one ballot is enclosed in a single return or secrecy envelope.

(b) The provisions of subsection (8)(a)(iii) do not apply if:

(i) there are multiple elections being held at the same time and the envelope contains only one ballot for each election; or

(ii) the return envelope contains ballots from the same household, each ballot is in its own secrecy envelope, and the return envelope contains a valid signature for each elector who has returned a ballot."

Renumber: subsequent sections

25. Page 39, line 5 through line 6.

Strike: "At" on line 5 through "ballots"." on line 6

26. Page 44, following line 17.

Insert: "Section 65. Section 13-16-412, MCA, is amended to read:

"13-16-412. Procedure for recounting paper ballots. To conduct a recount of paper ballots:

(1) the election administrator shall provide to the recount board, unopened, each sealed package or envelope received from the election judges of the precinct or precincts in which a recount is ordered, containing all the paper ballots voted in the precinct or precincts;

(2) a member of the recount board shall open each sealed package or envelope and

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remove the ballots, and the board shall count the votes on each ballot manually in the manner provided in 13-15-206(2); ~~except that if the office to be recounted is on a partisan primary election ballot, votes are recounted only on the party ballots that are subject to the recount; and~~

(3) the recount must be tallied on previously prepared tally sheets. The tally sheets must show the names of the respective candidates, the office or offices for which a recount is made, and the number of each election precinct.""

Renumber: subsequent sections

27. Page 46, line 27.

Insert: "Section 70. Section 13-19-205, MCA, is amended to read:

"13-19-205. Written plan for conduct of election -- amendments -- approval procedures. (1) The election administrator shall prepare a written plan for the conduct of the election and shall submit it to the secretary of state in a manner that ensures that it is received at least 60 days prior to the date set for the election.

(2) The written plan must include:

(a) a timetable for the election; and

(b) sample written instructions that will be sent to the electors. The instructions must include but are not limited to:

(i) information on the estimated amount of postage required to return the ballot;

(ii) (A) the location of the places of deposit and the days and times when ballots may be returned to the places of deposit, if the information is available; or

(B) if the information on location and hours of places of deposit is not available, a section that will allow the information to be added before the instructions are mailed to electors; and

(iii) any applicable instructions specified under 13-13-214~~(5)~~(4).

(3) The plan may be amended by the election administrator any time prior to the 35th day before election day by notifying the secretary of state in writing of any changes.

(4) Within 5 days of receiving the plan and as soon as possible after receiving any amendments, the secretary of state shall approve, disapprove, or recommend changes to the plan or amendments.

(5) When the written plan has been approved, the election administrator shall proceed to conduct the election according to the approved plan unless the election is canceled for any reason provided by law.""

Renumber: subsequent sections

28. Page 63, following line 30.

Insert: "13-10-311. Election judges' duties when preparing for count."

29. Page 64, following line 14.

Insert: "COORDINATION SECTION. Section 106. Coordination instruction. If House Bill No. 120 is passed and approved and if [this act] is passed by the legislature and approved by the electorate and both contain a section amending 5-2-402, then section 5-2-402 must be amended as follows:

"5-2-402. Appointment by board of county commissioners -- county central committee role -- timeframes. (1) Except as provided in subsection (5) or as otherwise provided by law, whenever a vacancy occurs in the legislature, the vacancy must be filled by appointment

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by the board of county commissioners or, in the event of a multicounty district, the boards of county commissioners of the counties comprising the district sitting as one appointing board.

(2) (a) Whenever a vacancy is within a single county, the board of county commissioners shall make the appointment as described in 5-2-403, 5-2-404, or 5-2-406.

(b) Whenever a vacancy is within a multicounty district, the boards of county commissioners shall sit as one appointing board. The selection of an individual to fill the vacancy must be as follows:

(i) The presiding officer of the board of county commissioners of the county in which the person resided whose vacancy is to be filled shall call a meeting for the purpose of appointing the member of the legislature and shall preside at the meeting.

(ii) Each commissioner's vote is determined by the following formula: 100 multiplied by (A divided by B) multiplied by (1 divided by C), where:

(A) A is the total votes cast in the respective county for the person vacating the legislative seat or, if the vacating person was not elected, the votes cast for the last person to be elected for the current term;

(B) B is the total votes cast for that person in the legislative district; and

(C) C is the number of authorized commissioners on the board of the commissioner whose vote is being determined.

(iii) The person selected to fill the vacancy is the one who receives the highest number above 50 that results from the calculation in subsection (2)(b)(ii). If none of the candidates receives a number higher than 50 from that calculation, the selection board shall cast its votes again in the same manner for the persons receiving the two highest numbers. If neither vote results in a candidate receiving a number higher than 50 from the calculation provided in subsection (2)(b)(ii), then 5-2-404 applies.

(c) If a vacancy occurs in a holdover senate seat after holdover senators have been assigned to new districts under each reapportionment, the formula in subsection (2)(b)(ii) must be applied using the votes cast for the senatorial candidates at the last election in which votes were cast for a senate candidate. Only the number of votes cast by electors residing in the new senate district for senate candidates of the party to which the person vacating the seat belonged may be counted. The secretary of state shall provide an estimate of the number of votes cast for each party by county or portion of a county. The selection process is the same as provided in subsection (2)(b)(iii).

(3) The appointment process to fill a vacant legislative seat under this section is as follows:

(a) Within 7 days of being notified of a vacancy as described in 2-16-501, the secretary of state shall notify the board of county commissioners, and if the vacating legislator marked a party preference on the legislator's most recent declaration of candidacy filed with the secretary of state or election administrator, the secretary of state shall notify the relevant state party that is responsible for notifying the county central committee of the county where the vacating legislator is a resident, if the legislative seat is within one county, or the boards of county commissioners and the corresponding county central committees if the legislative seat is in a multicounty district. If the legislator is an ~~is an~~ did not mark a party preference, marked "independent", or marked a party preference for a party that does not have a county central committee as the party preference on the legislator's most recent declaration of candidacy filed with the secretary of state or election administrator, independent or belongs to a party for which there is no county central committee, the notification of county commissioners suffices.

(b) The county central committee or committees, upon receipt of notification of a vacancy,

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have 45 days to propose a list of prospective appointees, pursuant to 5-2-403(1). The county central committee or the county central committees, acting together, shall forward the list of names to the appointing board within the 45-day period.

(c) The appointing board shall make and confirm an appointment and notify the secretary of state within 15 days:

(i) after receiving the list of prospective appointees from the county central committee or committees;

(ii) after 45 days have expired after the notification of vacancy if the county central committee or committees have not provided a list of prospective appointees; or

(iii) after notification of a vacancy if the legislator vacating the seat is an independent.

(4) If the legislature is in session, the notification process in subsection (3)(a) must be followed within 5 days. The process described in subsection (3)(b) must take place in 5 days. The process described in subsection (3)(c) must take place in 5 days.

(5) Notwithstanding subsection (6), if a vacancy occurs prior to a primary election, 13-10-326 applies. If a vacancy occurs after a primary and prior to a general election, 13-10-327 applies.

(6) If the legislature is called into special session within 85 days of a general election, a person must be appointed to fill a legislative vacancy pursuant to subsections (1) through (4)."

Insert: "COORDINATION SECTION. Section 107. Coordination instruction. If [this act] is passed by the legislature and approved by the electorate and if House Bill No. 120 is passed and approved:

(1) the reference to "declaration for nomination" in 13-10-201 must be changed to "declaration of candidacy"; and

(2) the reference to "declaration for nomination" in 13-14-113 must be changed to "declaration of candidacy"."

Insert: "COORDINATION SECTION. Section 108. Coordination instruction. If [this act] is passed by the legislature and approved by the electorate and if Senate Bill No. 375 is passed and approved, then the section that amends 13-37-216 in [this act] is void and the reference to "gubernatorial" in the definition of "political party organization" in section 13-1-101 in Senate Bill No. 375 must be changed to "presidential"."

Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

TAXATION (Miller, Chair):

4/15/2013

SB 282, be amended as follows:

1. Title, page 1, line 13.

Strike: "REPEALING" through "MEDIA;"

2. Page 1, line 21.

Strike: "15-32-104,"

Following: "15-32-106,"

Insert: "15-32-201,"

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Strike: "15-32-502,"

Strike: "17-7-502,"

3. Title, page 1, line 26.

Strike: "15-30-2319,"

4. Page 1, line 27 through line 28.

Strike: "15-31-901," on line 27 through "15-31-911," on line 28

5. Title, page 1, line 28.

Strike: "15-32-109,"

6. Title, page 1, line 29.

Strike: "15-32-201," through "15-32-203,"

7. Title, page 1, line 30.

Following: "15-32-501,"

Insert: "15-32-502,"

8. Page 15, line 17.

Strike: "4%"

Insert: "3.5%"

9. Page 15, line 18.

Strike: "6%"

Insert: "5.75%"

10. Page 15, line 20.

Strike: "4%"

Insert: "3.5%"

11. Page 15, line 21.

Strike: "6%"

Insert: "5.75%"

12. Page 15, line 24.

Strike: "4%"

Insert: "3.5%"

13. Page 15, line 25.

Strike: "6%"

Insert: "5.75%"

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14. Page 15, line 28.

Strike: "4%"

Insert: "3.5%"

15. Page 15, line 29.

Strike: "6%"

Insert: "5.75%"

16. Page 16, line 13.

Strike: "4%"

Insert: "3.5%"

Strike: "4%"

Insert: "3.5%"

17. Page 16, line 14.

Strike: "6%"

Insert: "5.75%"

Strike: "4%"

Insert: "3.5%"

18. Page 16, line 21.

Strike: "4%"

Insert: "3.5%"

19. Page 16, line 22.

Strike: "2.5%"

Insert: "2%"

20. Page 16, line 24.

Strike: "4%"

Insert: "3.5%"

21. Page 16, line 25.

Strike: "4%"

Insert: "3.5%"

22. Page 16, line 26.

Strike: "4%"

Insert: "3.5%"

23. Page 16, line 29.

Strike: "4%"

Insert: "3.5%"

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24. Page 16, line 30.

Strike: "2.5%"

Insert: "2%"

25. Page 17, line 2.

Strike: "4.5%"

Insert: "4.25%"

26. Page 17, line 3.

Strike: "6%"

Insert: "5.75%"

27. Page 17, line 4.

Strike: "4.5%"

Insert: "4.25%"

28. Page 32, line 20.

Strike: "15-30-2103(1)"

Insert: "15-30-2103"

29. Page 34, line 5.

Strike: "15-30-2103(1)(d)"

Insert: "15-30-2103"

30. Page 34, line 25.

Strike: "15-30-2103(1)(d)"

Insert: "15-30-2103"

31. Page 41, line 4 through line 7.

Strike: section 32 in its entirety

Renumber: subsequent sections

32. Page 41, line 11.

Following: "~~15-32-109~~."

Insert: "The department shall provide forms on which a taxpayer may apply for a credit under 15-32-109."

33. Page 41, line 12.

Following: "credit"

Insert: "or credit"

Following: "~~15-32-109~~"

Insert: "or 15-32-109"

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34. Page 41, line 14.

Following: "~~credit~~"

Insert: "or credit"

Following: "generation"

Insert: "or energy conservation"

35. Page 41, line 15 through line 17.

Strike: "The" on line 15 through "days." on line 17

36. Page 41, line 17.

Following: "~~credit~~"

Insert: "or credit"

37. Page 41.

Following: line 18

Insert: "**Section 33.** Section 15-32-201, MCA, is amended to read:

"15-32-201. Amount of credit -- to whom available. (1) A resident individual taxpayer who completes installation of an energy system using a recognized nonfossil form of energy generation, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including installation costs, less grants received, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to chapter 30.

(2) A resident individual taxpayer who completes installation of an energy system using a low-emission wood or biomass combustion device, as defined in 15-32-102, to provide heat for the taxpayer's principal dwelling is allowed to claim a tax credit in an amount equal to the cost of the system, including the installation costs, not to exceed \$500, against the income tax liability imposed against the taxpayer pursuant to Title 15, chapter 30.

(3) In determining whether an energy system is eligible for a tax credit under this part, the department may refer a credit involving an energy system using a recognized nonfossil form of energy generation or a low-emission wood or biomass combustion device to the department of environmental quality for its advice, and the department of environmental quality shall respond within 60 days."

Renumber: subsequent sections

38. Page 41, line 20 through page 43, line 14.

Strike: section 34 in its entirety

Renumber: subsequent sections

39. Page 48, line 13 through page 49, line 21.

Strike: section 40 in its entirety

Renumber: subsequent sections

40. Page 80, line 26.

Strike: line 26

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41. Page 81, line 4 through line 13.

Strike: line 4 through line 13

42. Page 81, line 14.

Strike: line 14

43. Page 81, line 16 through line 18.

Strike: line 16 through line 18

44. Page 81.

Following: line 26

Insert: "15-32-502. Definitions."

And, as amended, be concurred in. Report adopted.

SB 370, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

4/13/2013

HB 605, introduced by Schwaderer

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/13/2013

HB 3, introduced by Ankney

Governor's amendments to Senate bills concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/13/2013

SB 23, introduced by Rosendale

SB 44, introduced by Keane

Governor's amendments to Senate bills not concurred in and transmitted to the House:

4/13/2013

SB 105, introduced by T. Brown

SB 139, introduced by Walker

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SJR 18 - The Senate failed to concur in House amendments to **SJR 18**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SJR 18**:

4/15/2013

Senator Thomas, Chair
Senator Dick Barrett
Senator Rosendale

SB 198 - The Senate failed to concur in House amendments to **SB 198**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 198**:

4/15/2013

Senator Thomas, Chair
Senator Boulanger
Senator Tropila

SB 223 - The Senate failed to concur in House amendments to **SB 223**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 223**:

4/15/2013

Senator Murphy, Chair
Senator Webb

SB 256 - The Senate failed to concur in House amendments to **SB 256**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 256**:

4/15/2013

Senator F. Moore, Chair
Senator Hamlett
Senator Sales

SB 323 - The Senate failed to concur in House amendments to **SB 323**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on **SB 323**:

4/15/2013

Senator Thomas, Chair
Senator Debby Barrett
Senator Vuckovich

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MESSAGES FROM THE GOVERNOR

April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Friday, April 12, I signed and delivered the following House bills to the Secretary of State:

House Bill 38 – Ingraham
House Bill 68 – MacDonald
House Bill 72 – MacDonald
House Bill 105 – Steenberg
House Bill 210 – McClafferty
House Bill 291 – Kerns
House Bill 328 – Washburn
House Bill 335 – Eck
House Bill 362 – Berry
House Bill 402 – Hunter
House Bill 455 – Blyton
House Bill 462 – Jones

I am returning House Bill 8 – Cook, House Bill 385 – Lavin and House Bill 562 – Swanson with amendments.

I have vetoed House Bill 283 – Wagoner, House Bill 304 – Kerns, and House Bill 374 – Fitzpatrick.

Sincerely,

STEVE BULLOCK
Governor

April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the powers vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 8 (HB 8), "AN ACT APPROVING

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RENEWABLE RESOURCE PROJECTS AND AUTHORIZING LOANS; REAUTHORIZING RENEWABLE RESOURCE PROJECTS AUTHORIZED BY THE 62ND LEGISLATURE; APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR LOANS UNDER THE RENEWABLE RESOURCE GRANT AND LOAN PROGRAM; AUTHORIZING THE ISSUANCE OF COAL SEVERANCE TAX BONDS; AUTHORIZING THE CREATION OF A STATE DEBT AND APPROPRIATING COAL SEVERANCE TAXES FOR DEBT SERVICE; PLACING CERTAIN CONDITIONS UPON LOANS; AND PROVIDING AN EFFECTIVE DATE."

The legislature amended into HB 8 funds for North Central and Dry Prairie Regional Water Systems projects totaling \$16,000,000. Since these projects have not yet had their federally funded match identified at the passage of this bill, I feel it is necessary that the department report back to the legislative finance committee the progress of these projects.

For these reasons, my amendment requires the Department of Natural Resources and Conservation to report to the Legislative Finance Committee on the progress of the Dry Prairie Regional Water and the North Central Regional Water projects by September 1, 2014.

I respectfully ask for your support of this amendment.

Sincerely,

Steve Bullock
Governor

Amendments to House Bill No. 8
Reference Copy

Requested by the Governor

For the House Committee of the Whole

Prepared by Todd Everts
April 12, 2013 (1:29pm)

1. Page 2, line 5.

Insert: "(4)The department of natural resources and conservation shall report to the legislative finance committee on the progress of the Dry Prairie Regional Water and the North Central Regional Water projects by September 1, 2014."

- END -

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April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 283 (HB 283), "AN ACT PROVIDING FOR FISCAL NOTES THAT INCLUDE BUSINESS IMPACT STATEMENTS; AMENDING SECTION 5-4203, MCA; AND PROVIDING A TERMINATION DATE."

HB 283 requires the Legislative Fiscal Analyst, with the assistance of the Budget Director, to prepare a business impact statement for proposed legislation. This may seem like a reasonable request, given that the Office of Budget and Program Planning (OBPP) already prepares fiscal notes. However, the purpose of the fiscal note is to show in dollar amounts the estimated increase or decrease in governmental revenue or expenditures, costs that may be absorbed without additional funds, and long-range financial implications. A fiscal note may further illustrate technical or mechanical defects to a bill. At present the Budget Director works in cooperation with the state or local agencies affected by the bill to accomplish these requirements. Collectively these are sensible and realistic expectations.

However, asking the OBPP and Legislative Fiscal Division to determine the impact of proposed policies on private businesses is neither reasonable nor realistic. They do not have the expertise or resources to determine what costs businesses of varying sizes across a vast and diverse state may not incur relating to proposed legislation.

HB 283 is also unnecessary. Private businesses already have the opportunity to review and comment on proposed legislation throughout the legislative process. That is the best opportunity for both businesses and the Legislature to analyze the impacts.

For these reasons, I respectfully ask for your support in sustaining my veto.

Sincerely,

STEVE BULLOCK
Governor

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April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 304 (HB 304), "AN ACT REVISING CONCEALED WEAPONS LAWS; PROVIDING THAT THE OFFENSE OF CARRYING A CONCEALED WEAPON DOES NOT APPLY TO A PERSON WHO IS ELIGIBLE TO POSSESS A HANDGUN UNDER STATE OR FEDERAL LAW; AND AMENDING SECTION 45-8-317, MCA."

Montana grants the authority to issue a concealed weapons permit with our locally elected sheriffs, who "shall" issue a permit to an applicant. The sheriff may require completion of basic firearms safety training before issuing a permit or they may deny a permit to a person struggling with mental illness. Denials are uncommon, and only happen under the most extreme circumstances.

Our laws have been in place since 1919 and have served our state well. As of April 11, 2013, there were 33,814 concealed weapons permit holders. I have improved this century-old process this legislative session by signing into law Senate Bill 145, which classifies all concealed weapons permit information as confidential criminal justice information.

House Bill 304 would effectively eliminate Montana's concealed weapon permitting process by allowing anyone eligible to possess a handgun to carry a concealed weapon without a permit. The measure would allow individuals to decide whether they are eligible to carry a concealed weapon.

If the logic of HB 304 were applied to other situations, there would be no need for a person to be licensed before driving on our highways -all they would need to do would be to determine whether they were "eligible" to drive. The same goes for pilot's licenses, building permits, hunting licenses, or any other type of permit. While I will fiercely defend the 2nd amendment rights of our citizens, I cannot support an absurd concept that threatens the safety of our communities, by not providing for basic fundamentals of gun safety or mental health screening.

Moreover, instead of protecting the rights of Montanans, in reality HB 304 erodes the ability of a Montana citizen to purchase a weapon or carry concealed in another state. HB 304 would void our state's reciprocity agreements with more than 40 states that recognize concealed weapon permits and it would void our laws allowing Montana permit holders to bypass the federal background check

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required for a firearm purchase.

I respectfully ask that you stand with the Montana Sheriffs and Peace Officers Association, the Montana County Attorneys Association and the Montana Association of Chiefs of Police in opposition to this bill and sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 374 (HB 374), entitled, "AN ACT PROVIDING TO AN INDIVIDUAL LEGISLATOR WHO IS A SPONSOR OR COSPONSOR OF LEGISLATION STANDING TO INTERVENE IN DECLARATORY JUDGMENT ACTIONS INVOLVING ALLEGED CONSTITUTIONAL OR STATUTORY VIOLATIONS; PROVIDING LEGISLATIVE FINDINGS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HB 374 allows legislators to intervene as parties in declaratory judgment actions challenging, on constitutional or statutory grounds, the laws they have sponsored or co-sponsored. The bill violates the separation of powers doctrine, which provides that one branch of government may not encroach upon the authority reserved to another branch of government. Mont. Const. art. III, § 1.

Under Montana's Constitution, it is within the exclusive authority of the executive branch to defend the state against lawsuits. Mont. Const. art. VI, § 4. Section 2-15-501 (1), (6), MCA. HB 374 would enable the Legislature to encroach on the exclusive authority of the executive branch. Further, the bill is unnecessary in light of the fact that legislators who would like to be heard in these cases may apply to the court to participate as *amicus curiae*.

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For these reasons, I respectfully ask you to sustain my veto of HB 374.

Sincerely,

STEVE BULLOCK
Governor

April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 385 (HB 385), "AN ACT GENERALLY REVISING LAWS RELATING TO A TENANT ENGAGING IN OR KNOWINGLY ALLOWING ANY PERSON TO ENGAGE IN ANY ACTIVITY ON RENTAL PREMISES THAT CREATES A REASONABLE POTENTIAL THAT THE PREMISES MAYBE DAMAGED OR DESTROYED OR THAT NEIGHBORING TENANTS MAYBE INJURED; AND AMENDING SECTIONS 7024-303, 70-24-321, 70-24-422, AND 70-24-427, MCA."

HB 385 assists landlords in dealing with tenants who may be damaging property or endangering other tenants. I support the common sense provisions of this bill which broaden the circumstances under which a landlord may terminate a rental agreement.

However, the provisions of this bill concerning timelines for termination of an agreement and for court action in certain circumstances present practical and legal difficulties. First, it is unreasonable to provide for the immediate termination of a rental agreement upon written notice to a tenant. Any tenant will need a certain amount of time to find alternative housing and to move out. My amendments restore the three-day notice period as provided in current statute.

Second, the bill requires that a court, within 24 hours of receiving notice of certain tenant behavior, issue an order in favor of the landlord delivering possession of the premises to the landlord. This language contains no provision that the tenant be notified or provided an opportunity to be heard. The bill deprives tenants of due process. My amendments strike this provision in its entirety.

Finally, the new deadlines for court action following a landlord claim for possession or damages are unrealistic, given court caseloads. My amendments change the timeline from 3 business days to 14 days for a landlord claim to be heard, while requiring an accelerated 5 day timeline for certain claims. An appeal to a district court must similarly be heard within 14 days. Finally, a court must render a decision on a landlord's complaint within 5 days after the hearing.

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These amendments assist landlords and provide for a faster legal process, while ensuring that the measure is consistent with basic constitutional protections.

I respectfully ask for your support of these amendments.

Sincerely,

STEVE BULLOCK
Governor

Report No. 001, April 16, 2013

Governor's recommendations for amendments to **House Bill 385** (reference copy -- salmon) are as follows:

1. Page 5, line 2.

Strike: "IMMEDIATELY"

2. Page 5, line 3.

Following: "~~3 days~~"

Insert: "3 days"

3. Page 5, line 5 through line 8.

Strike: subsection (5) in its entirety

Renumber: subsequent subsections

4. Page 5, line 11.

Strike: "(7)"

Insert: "(6)"

5. Page 5, line 20.

Strike: "3 BUSINESS"

Insert: "14"

6. Page 5, line 23.

Following: "~~summons~~"

Insert: ", except that if the rental agreement is terminated because of noncompliance under 70-24-321(3), the action must be heard within 5 business days after the tenant's appearance or the answer date stated in the summons"

7. Page 5, line 24.

Strike: "3 BUSINESS"

Insert: "14"

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8. Page 5, line 26.

Following: "court"

Insert: "“, except that if the rental agreement is terminated because of noncompliance under 70-24-321(3), the hearing must be held within 5 business days after the case is transmitted to the district court"

9. Page 5, line 30.

Strike: "3 BUSINESS"

Following: "5"

April 12, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 562 (HB 562), "AN ACT REVISING SUBDIVISION LA WS REGARDING SURVEYS AND EXEMPTIONS FROM LOCAL SUBDIVISION REVIEW; EXEMPTING FROM REVIEW BOUNDARY RELOCATIONS AND RESULTING TRACTS OF RECORD UNDER CERTAIN CIRCUMSTANCES; AMENDING SECTION 76-3-207, MCA; AND PROVIDING AN EFFECTIVE DATE."

Current law identifies circumstances under which a division or aggregation of land is exempt from the subdivision review processes in the Montana Subdivision and Platting Act. HB 562 modifies the exemption from common boundary line relocation (Section 76-3-207(1)(a)) to clarify that the exemption is available for use even if the relocation of common boundary lines will result in the creation of a tract of record that is less than 160 acres. This new language reflects existing law and does not change the scope of the exemption.

This clarification, however, is applicable to all of the exemptions listed in Section 76-3-207, MCA. By adding the proposed language to the boundary line relocation exemption only, HB 562 could potentially create ambiguity in existing law and the applicability of the remaining exemptions listed in Section 76-3-207, MCA.

I propose an amendment to HB 562 to move the proposed language instead to the introductory section of 76-3-207, MCA. This change will make clear that all exemptions listed under this provision of the Montana Subdivision and Platting Act are available regardless of whether the use of the exemption will result in the creation of a tract of record that is less than 160 acres.

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I respectfully ask for your support of these amendments.

Sincerely,

STEVE BULLOCK
Governor

Report No. 001, April 13, 2013

Governor's recommendations for amendments to **House Bill 562** (reference copy -- salmon) are as follows:

1. Title, page 1, line 5 through line 6.

Strike: "EXEMPTING" on line 5 through "CIRCUMSTANCES;" on line 6

2. Page 1, line 15.

Strike: "land"

Insert: "tracts of record of any size, regardless of the resulting size of any lot created by the division or aggregation,"

3. Page 1, line 19.

Strike: "tracts" through "acres"

Insert: "adjoining properties"

FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 31, introduced by Lieser, referred to Natural Resources.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 54 - Senate Amendments - Representative Ingraham moved Senate amendments to **HB 54** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus,

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Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 85

Nays: Ballance, Cuffe, Doane, Glimm, Harris, Hoven, Jones, Kerns, Knudsen, Randall, Schwaderer, C. Smith, Zolnikov.

Total 13

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Miller, Osmundson.

Total 2

HB 97 - Senate Amendments - Representative Wilmer moved Senate amendments to **HB 97** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Flynn, Gibson, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Knudsen, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 73

Nays: Ballance, Brodehl, Cuffe, Ehli, Fitzpatrick, Galt, Glimm, Greef, Harris, Hertz, Hoven, Howard, Jones, Kary, Lang, Laszloffy, McNiven, O'Neil, Randall, Regier, Schwaderer, C. Smith, Warburton, White, Zolnikov.

Total 25

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: Osmundson, Reichner.

Total 2

HB 133 - Senate Amendments - Representative Berry moved Senate amendments to **HB 133** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Ballance, Doane, Kerns, O'Neil, Warburton.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

HB 240 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 240** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers,

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Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 40

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 345 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 345** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 36

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 18 - Representative Clark moved **HJR 18** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, B. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Glimm, Greef, Gursky, Halvorson, Hansen, Hertz, Hill, Hollenbaugh, Hunter, Ingraham, Jones, Knudsen, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Shaw, B. Smith,

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Steenberg, Swanson, Wagoner, Washburn, Welborn, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 62

Nays: Bangerter, J. Bennett, Boland, Brockie, Connell, Cook, Doane, Edmunds, Fitzpatrick, Gibson, Hagan, Hagstrom, Harris, Hollandsworth, Hoven, Howard, Jacobson, Kary, Kerns, Lang, Lynch, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Peppers, Redfield, Schreiner, C. Smith, Squires, Vance, Warburton, White, Whitford, Zolnikov.
Total 37

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Schwaderer.
Total 1

HJR 24 - Representative Cuffe moved **HJR 24** be adopted. Motion **failed** as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Brockie, Clark, Connell, Cuffe, Edmunds, Ehli, Fitzpatrick, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Lang, Lavin, Lenz, McChesney, Moore, O'Hara, Osmundson, Regier, Reichner, Salomon, Shaw, B. Smith, Wagoner, Warburton, Washburn, White, Whitford, Zolnikov, Mr. Speaker.
Total 47

Nays: B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brodehl, Coffin, Cook, Court, Curtis, Doane, Dudik, Eck, Fiscus, Flynn, Gibson, Hill, Hunter, Jacobson, Kerns, Knudsen, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Schreiner, Schwaderer, C. Smith, Squires, Steenberg, Swanson, Vance, Welborn, Williams, Wilmer, Wilson, Woods.
Total 53

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 117 - Representative D. Jones moved **SB 117** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Harris, Welborn.
Total 2

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Salomon.
Total 1

SB 175 - Majority Leader Vance moved consideration of **SB 175** be placed at the bottom of the second reading board. Motion carried.

SB 173 - Representative Reichner moved **SB 173** be concurred in.

SB 173 - Representative D. Moore moved **SB 173**, second reading copy, be amended as follows:

1. Title, page 1, line 15.

Following: "OBLIGATIONS"

Insert: "AND CLEARLY ASSIGNING ALL LIABILITY FOR OLD FUND AND NEW FUND CLAIMS TO THE STATE FUND"

2. Page 5, line 8.

Strike: "PREMIUMS PAID TO THE STATE FUND BASED UPON WAGES PAYABLE ON OR AFTER JULY 1, 2013, MAY BE USED"

Insert: "After the one-time general fund transfer to the state fund, all liability for and the responsibility"

3. Page 5, lines 10 through 11.

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Following: "1990, OR"

Insert: "on or"

Following: the second "1990,"

Strike: "SUBJECT TO" on line 10 through "TRANSFER" on line 11

Insert: "belong to the state fund"

4. Page 5, line 27 through line 30.

Following: "1990"

Strike: the rest of line 27 through "(1)(C)" on line 30

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Harris, Jones, Kary, Kerns.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Warburton.

Total 1

SB 173 - Minority Leader Hunter moved **SB 173**, second reading copy, be amended as follows:

1. Page 6, line 26.

Strike: "\$43.989"

Insert: "\$39.6"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom,

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Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Cook, Harris, Kerns, O'Neil.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 - Representative Reichner moved **SB 173**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: J. Bennett, Doane, Harris, Kerns, Zolnikov.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 201 - Representative Connell moved **SB 201** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Schwaderer, Williams.

Total 2

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Connell.

Total 1

SB 231 - Representative Calf Boss Ribs moved **SB 231** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Gursky, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Knudsen, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 71

Nays: J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Harris, Howard, Ingraham, Kary, Kerns, Lang, Lavin, McNiven, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Warburton, Mr. Speaker.

Total 29

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 240 - Representative Miller moved **SB 240** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: MacDonald, Pomnichowski, Wilson.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

SB 265 - Representative Cuffe moved **SB 265** be concurred in.

SB 265 - Representative Williams moved **SB 265**, second reading copy, be amended as follows:

1. Page 1, line 22.

Strike: "MAY PROVIDE RECOMMENDATIONS TO"

Insert: "shall request that at least one representative of"

2. Page 1, line 23.

Following: "COMMISSION"

Insert: "attend each water policy interim committee meeting to provide testimony and answer questions."

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3. Page 1, line 24.

Strike: "64TH"

Insert: "63RD"

4. Page 1, line 30.

Strike: "15, 2014"

Insert: "30, 2013"

5. Page 3, line 7.

Strike: "BIENNIUM"

Insert: "fiscal year"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Gursky, Hertz, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Nays: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 55

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 265 - Representative Brodehl moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski,

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Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: B. Bennett, Boland, Boss Ribs, Court, MacDonald, McChesney, McNally, Neill, Peppers, Price, Schreiner, B. Smith, Squires, Whitford, Williams.

Total 15

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Osmundson.

Total 1

SB 265 - Representative Cuffe moved **SB 265** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Kary, Kerns, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 280 - Representative Knudsen moved **SB 280** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.
Total 0

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 386 - Representative Steenberg moved **SB 386** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 87

Nays: Edmunds, Fitzpatrick, Galt, Hansen, Harris, Kerns, McNiven, Randall, Redfield, C. Smith, Zolnikov, Mr. Speaker.
Total 12

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: Greef.

Total 1

SB 392 - Representative B. Bennett moved **SB 392** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 80

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Edmunds, Fitzpatrick, Galt, Glimm, Halvorson, Hansen, Jones, Kary, Kerns, Redfield, Regier, C. Smith, Vance, Wagoner, White, Zolnikov.

Total 20

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Salomon moved **SB 175** be concurred in.

SB 175 - Representative Miller moved **SB 175** be sent back to the Education Committee to review all floor amendments and finalize **SB 175**. Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Glimm, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lenz, Miller, O'Neil, Osmundson, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 35

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill,

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Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 64

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

SB 175 - Minority Leader Hunter moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Fiscus, Harris, Kary, Knudsen, Miller, Schwaderer.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Cook moved **SB 175**, second reading copy, be amended as follows:

1. Title, page 1, line 12.

Following: "~~DISTRICTS;~~"

Insert: "REDIRECTING OIL AND NATURAL GAS PRODUCTION TAX REVENUE FROM THE STATE GENERAL FUND TO A NEW NATURAL RESOURCE DEVELOPMENT K-12 FUNDING PAYMENT TO SUPPORT BASE BUDGETS OF SCHOOL DISTRICTS;"

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2. Title, page 1, line 16.

Following: "~~AND~~"

Insert: "THE NATURAL RESOURCE DEVELOPMENT K-12 FUNDING PAYMENT AND"

3. Title, page 1, line 18.

Following: "~~AND~~"

Insert: "REVISING AND"

4. Title, page 1, line 20 through line 21.

Strike: "INCREASING" on line 20 through "BUDGET;" on line 21

5. Title, page 1, line 24.

Strike: "AND FOURTH"

6. Title, page 2, line 11.

Following: "~~DISTRIBUTION;~~"

Insert: "PROVIDING AN APPROPRIATION; ESTABLISHING A STATE SPECIAL REVENUE ACCOUNT TO TRANSFER MONEY TO THE GUARANTEE ACCOUNT TO SUPPORT INCREASES IN THE BASIC ENTITLEMENT AND PROVIDING FOR A TRANSFER FROM THE GENERAL FUND TO THE ACCOUNT;"

7. Page 2, line 13.

Following: "~~20-7-102;~~"

Insert: "20-7-102,"

Following: "~~20-9-141;~~"

Insert: "20-9-141,"

8. Title, page 2, line 16.

Following: "DATES"

Strike: "AND"

Insert: ", "

9. Title, page 2, line 17.

Following: "DATE"

Insert: ", AND A TERMINATION DATE"

10. Page 3, line 24.

Strike: "\$20 times"

Following: "20-9-311"

Insert: ", multiplied by:

- (a) \$10 for fiscal year 2014;
- (b) \$15 for fiscal year 2015; and
- (c) \$20 for fiscal year 2016 and subsequent fiscal years"

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11. Page 3, line 29.

Following: "(3)"

Strike: "THE"

Insert: "Unless funds are otherwise appropriated at higher amounts by the legislature, the"

12. Page 3, line 29 through line 30.

Strike: "AN AMOUNT" on line 29 through "SYSTEM" on line 30

Insert: "no more than \$500,000 per biennium"

13. Page 4, line 1.

Strike: "DEVELOPING" through "SYSTEM"

Insert: "mediating with vendors, developing a plan, preparing a request for proposal solicitation package, managing the vendor contract, and implementing a plan with school districts for the statewide data system. This limitation does not apply if the office of public instruction develops and administers the statewide data system without a vendor"

14. Page 6, line 27.

Following: line 26

Insert: "**Section 3.** Section 20-7-102, MCA, is amended to read:

"20-7-102. Accreditation of schools. (1) The conditions under which each elementary school, each middle school, each junior high school, 7th and 8th grades funded at high school rates, and each high school operates must be reviewed by the superintendent of public instruction to determine compliance with the standards of accreditation. The accreditation status of each school must then be established by the board of public education upon the recommendation of the superintendent of public instruction. Notification of the accreditation status for the applicable school year or years must be given to each district by the superintendent of public instruction.

(2) A school may be accredited for a period consisting of 1, 2, 3, 4, or 5 school years, except that multiyear accreditation may be granted only to schools that are in compliance with 20-4-101.

(3) A nonpublic school may, through its governing body, request that the board of public education accredit the school. Nonpublic schools may be accredited in the same manner as provided in subsection (1).

(4) As used in this section, "7th and 8th grades funded at high school rates" means an elementary school district or K-12 district elementary program whose 7th and 8th grades are funded as provided in ~~20-9-306(14)(c)(ii)~~ 20-9-306(15)(c)(ii)."

Renumber: subsequent sections

15. Page 11.

Following: line 22

Insert: "**Section 5.** Section 20-9-141, MCA, is amended to read:

"20-9-141. Computation of general fund net levy requirement by county superintendent. (1) The county superintendent shall compute the levy requirement for each district's general fund on the basis of the following procedure:

(a) Determine the funding required for the district's final general fund budget less the

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sum of direct state aid, the natural resource development K-12 funding payment, and the special education allowable cost payment for the district by totaling:

(i) the district's nonisolated school BASE budget requirement to be met by a district levy as provided in 20-9-303; and

(ii) any general fund budget amount adopted by the trustees of the district under the provisions of 20-9-308 and 20-9-353.

(b) Determine the money available for the reduction of the property tax on the district for the general fund by totaling:

(i) the general fund balance reappropriated, as established under the provisions of 20-9-104;

(ii) amounts received in the last fiscal year for which revenue reporting was required for each of the following:

(A) interest earned by the investment of general fund cash in accordance with the provisions of 20-9-213(4); and

(B) any other revenue received during the school fiscal year that may be used to finance the general fund, excluding any guaranteed tax base aid;

(iii) anticipated oil and natural gas production taxes;

(iv) pursuant to subsection (4), anticipated revenue from coal gross proceeds under 15-23-703; and

(v) school district block grants distributed under 20-9-630.

(c) Notwithstanding the provisions of subsection (2), subtract the money available to reduce the property tax required to finance the general fund that has been determined in subsection (1)(b) from any general fund budget amount adopted by the trustees of the district, up to the BASE budget amount, to determine the general fund BASE budget levy requirement.

(d) Determine the sum of any amount remaining after the determination in subsection (1)(c) and any tuition payments for out-of-district pupils to be received under the provisions of 20-5-320 through 20-5-324, except the amount of tuition received for a pupil who is a child with a disability in excess of the amount received for a pupil without disabilities, as calculated under 20-5-323(2).

(e) Subtract the amount determined in subsection (1)(d) from any additional funding requirement to be met by an over-BASE budget amount, a district levy as provided in 20-9-303, and any additional financing as provided in 20-9-353 to determine any additional general fund levy requirements.

(2) The county superintendent shall calculate the number of mills to be levied on the taxable property in the district to finance the general fund levy requirement for any amount that does not exceed the BASE budget amount for the district by dividing the amount determined in subsection (1)(c) by the sum of:

(a) the amount of guaranteed tax base aid that the district will receive for each mill levied, as certified by the superintendent of public instruction; and

(b) the current total taxable valuation of the district, as certified by the department of revenue under 15-10-202, divided by 1,000.

(3) The net general fund levy requirement determined in subsections (1)(c) and (1)(d) must be reported to the county commissioners by the later of the first Tuesday in September or within 30 calendar days after receiving certified taxable values by the county superintendent as the general fund net levy requirement for the district, and a levy must be set by the county commissioners in accordance with 20-9-142.

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(4) For each school district, the department of revenue shall calculate and report to the county superintendent the amount of revenue anticipated for the ensuing fiscal year from revenue from coal gross proceeds under 15-23-703."

Renumber: subsequent sections

16. Page 11.

Following: line 30

Insert: "(b) starting in fiscal year 2015, the natural resource development K-12 funding payment for a variable percentage of the basic and per-ANB entitlements above the direct state aid for the general fund budget of a district, as referenced in subsection (10);"

Renumber: subsequent subsections

17. Page 12, line 30.

Strike: ", "

Insert: ":", "

18. Page 13, line 3.

Following: "~~(i)~~"

Insert: "(i)"

Strike: the first "year"

Insert: "years"

Following: "and"

Insert: "2015 and \$300,000 for"

Following: the second "year"

Insert: "for school districts with an ANB of 800 or fewer; and

(ii) \$290,000 for fiscal years 2014 and 2015 and \$300,000 for each succeeding fiscal year for school districts with an ANB of more than 800, plus \$12,000 for fiscal years 2014 and 2015 and \$15,000 for each succeeding fiscal year for each additional 80 ANB over 800"

19. Page 13, line 9.

Strike: " " "

Insert: ":", "

20. Page 13, line 12.

Following: "~~(i)~~"

Insert: "(i)"

Strike: the first "year"

Insert: "years"

Following: "and"

Insert: "2015 and \$50,000 for"

Following: the second "year"

Insert: "for school districts or K-12 district elementary programs with an ANB of 250 or fewer; and

(ii) \$40,000 for fiscal years 2014 and 2015 and \$50,000 for each succeeding fiscal year for school districts or K-12 district elementary programs with an ANB of more than 250, plus

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\$2,000 for fiscal years 2014 and 2015 and \$2,500 for each succeeding fiscal year for each additional 25 ANB over 250"

21. Page 13, line 19.

Strike: " "

Insert: "."

22. Page 13, line 22.

Following: "~~(A)~~"

Insert: "(A)"

Strike: the first "year"

Insert: "years"

Following: "and"

Insert: "2015 and \$50,000 for"

Following: the second "year"

Insert: "for school districts or K-12 district elementary programs with an ANB of 250 or fewer;
and

(B) \$40,000 for fiscal years 2014 and 2015 and \$50,000 for each succeeding fiscal year for school districts or K-12 district elementary programs with an ANB of more than 250, plus \$2,000 for fiscal years 2014 and 2015 and \$2,500 for each succeeding fiscal year for each additional 25 ANB over 250"

23. Page 13, line 28.

Strike: " "

Insert: "."

24. Page 14, line 1.

Following: "~~(A)~~"

Insert: "(A)"

Strike: the first "year"

Insert: "years"

Following: "and"

Insert: "2015 and \$100,000 for"

Following: the second "year"

Insert: "for the school districts or K-12 district elementary programs with combined grades 7
and 8 with an ANB of 450 or fewer; and

(B) \$80,000 for fiscal years 2014 and 2015 and \$100,000 for each succeeding fiscal year for school districts or K-12 district elementary programs with combined grades 7 and 8 with an ANB of more than 450, plus \$4,000 for fiscal years 2014 and 2015 and \$5,000 for each succeeding fiscal year for each additional 45 ANB over 450"

25. Page 14.

Following: line 25

Insert: "(10) "Natural resource development K-12 funding payment" means the payment,
starting in fiscal year 2015, of a variable percentage of the basic and per-ANB

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entitlements above the direct state aid for the general fund budget of a district. The total payment to school districts may not exceed the greater of 50% of the fiscal year 2012 oil and natural gas production taxes deposited into the general fund pursuant to 15-36-331(4) or 50% of the oil and natural gas production taxes deposited into the general fund pursuant to 15-36-331(4) for the fiscal year occurring 2 fiscal years prior to the school fiscal year in which the payment is provided, plus any excess interest and income revenue appropriated by the legislature pursuant to 20-9-622(3)(a). The amount of the natural resource development K-12 funding payment must be determined as follows:

(a) for fiscal year 2015, \$3 million; and

(b) for fiscal year 2016 and each subsequent year, the payment must be, subject to the limitations of this subsection (10), an amount sufficient to offset any estimated increase in statewide revenue from the general fund BASE budget levy provided for in 20-9-141 that is anticipated to result from increases in the basic or per-ANB entitlements plus any excess interest and income revenue appropriated by the legislature pursuant to 20-9-622(3)(a). The superintendent of public instruction shall incorporate a natural resource development K-12 funding payment calculated in compliance with this subsection (10)(b) in preparing and submitting an agency budget pursuant to 17-7-111 and 17-7-112."

Renumber: subsequent subsections

26. Page 15, line 25 through line 26.

Strike: "resulting" on line 25 through "20-9-311," on line 26

Insert: "calculated"

27. Page 17, line 7.

Following: "(1)"

Insert: "(a)"

Strike: "subsection"

Insert: "subsections (1)(b) and"

28. Page 17, line 8.

Strike: "150%"

Insert: "130%"

29. Page 17.

Following: line 9

Insert: "(b) For fiscal years 2014 through 2017 for a school district with a maximum general fund budget of less than \$1.5 million, the maximum amount of oil and gas production taxes that a school district may retain is 150% of the school district's maximum general fund budget."

30. Page 17, line 16.

Strike: "30"

Insert: "34"

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31. Page 17, line 24.

Strike: "150%"

Insert: "130%"

32. Page 17, line 28.

Strike: "150%"

Insert: "130%"

33. Page 18, line 9.

Strike: "150%"

Insert: "130%"

34. Page 18, line 20.

Strike: "150%"

Insert: "130%"

35. Page 20, line 22.

Strike: "2020"

Insert: "2016"

36. Page 20.

Following: line 23

Insert: "Section 9. Section 20-9-310, MCA, is amended to read:

"20-9-310. (Temporary) Oil and natural gas production taxes for school districts -- allocation and limits. (1) Except as provided in subsection (8), the maximum amount of oil and natural gas production taxes that a school district may retain is 130% of the school district's maximum budget, determined in accordance with 20-9-308.

(2) Upon receipt of school district budget reports required under 20-9-134, the superintendent of public instruction shall provide the department of revenue with a list reporting the maximum general fund budget for each school district.

(3) The department of revenue shall make the full quarterly distribution of oil and natural gas production taxes as required under 15-36-332(6) until the amount distributed reaches the limitation in subsection (1) of this section. The department of revenue shall deposit any amount exceeding the limitation in subsection (1) in the state school oil and natural gas distribution account provided for in [section 34].

(4) ~~For fiscal year 2012,~~ By the last day of the month immediately following the month in which the quarterly distribution of oil and natural gas production taxes in subsection (3) is made, the office of public instruction shall distribute any amount of oil and natural gas production taxes exceeding the limitation in subsection (1) ~~must be deposited in the guarantee account as provided in 20-9-622;~~ based on allocations determined by the department of revenue pursuant to subsection (3) as follows:

(a) 70% of the retained amount must be deposited in the guarantee account provided for in 20-9-622;

(b) 5% of the retained amount must be deposited in the state school oil and natural gas

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impact account provided for in 20-9-517; and

(c) 25% of the retained amount must be distributed to the counties for deposit in the county school oil and natural gas impact fund provided for in 20-9-518.

(5) Subject to the limitation in subsection (1) and except as provided in subsection (7), the trustees shall budget and allocate the oil and natural gas production taxes received by the district as follows:

~~(a) for fiscal year 2012, the trustees shall budget in the general fund an amount of oil and natural gas production taxes equal to the lesser of 25% of the total oil and natural gas production taxes received by the district in the prior year or the general fund levy requirement;~~

~~—— (b) for fiscal year 2013, the trustees shall budget in the general fund an amount of oil and natural gas production taxes equal to the lesser of 35% of the total oil and natural gas production taxes received by the district in the prior year or the general fund levy requirement;~~

~~—— (c) for fiscal year 2014, the trustees shall budget in the general fund an amount of oil and natural gas production taxes equal to the lesser of 45% of the total oil and natural gas production taxes received by the district in the prior year or the general fund levy requirement;~~

~~(d)(a) for each succeeding fiscal year, the trustees shall budget in the general fund an amount of oil and natural gas production taxes equal to the lesser of 55% 25% of the total oil and natural gas production taxes received by the district in the prior year or the general fund levy requirement;~~

~~(e)(b)~~ oil and natural gas production taxes received by the district must be deposited in the general fund until the ~~budgeted amount~~ limit under subsection (5)(a) is reached; and

~~(f)(c)~~ all remaining oil and natural gas production tax revenue may be deposited in any budgeted fund.

(6) Except as provided in subsection (7), 50% of the oil and natural gas production taxes deposited in the general fund pursuant to subsection (5)(a) must be applied to the BASE budget levy. Remaining oil and natural gas production taxes deposited in the general fund may be applied to either the BASE budget levy or the over-BASE budget levy at the discretion of the board of trustees.

(7) The provisions of subsections (5) and (6) do not apply to the following:

(a) a district that has a maximum general fund budget of less than \$1 million;

(b) a district whose oil and gas revenue combined with its adopted general fund budget total 105% or less of its maximum general fund budget;

(c) a district that has a maximum general fund budget of \$1 million or more and has had an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314 in the year immediately preceding the fiscal year to which subsections (5) and (6) would otherwise apply; or

(d) a district that has issued outstanding oil and natural gas revenue bonds. Any funds received pursuant to this subsection (7) must first be applied by the district to payment of debt service obligations for oil and natural gas revenue bonds for the next 12-month period.

(8) The limit on oil and natural gas production taxes that a school district may retain under subsection (1) must be increased for any school district with an unusual enrollment increase approved by the superintendent of public instruction as provided in 20-9-314. The increase in the limit on oil and natural gas production taxes that a school district may retain under subsection (1) applies in the year immediately following the fiscal year in which the office of public instruction has approved the district's unusual enrollment increase and must be calculated by multiplying \$45,000 times each additional ANB approved by the superintendent of

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public instruction as provided in 20-9-314.

~~(6)(9)~~ In any year in which the actual oil and natural gas production taxes received by a school district are less than 50% of the total oil and natural gas production taxes received by the district in the prior year, the district may transfer money from any budgeted fund to its general fund in an amount not to exceed the amount of the shortfall.

~~(7) Beginning in fiscal year 2013, for any amount retained by the department of revenue in compliance with the limitation in subsection (1), the amount retained must be allocated as follows:~~

~~— (a) 70% of the retained amount must be deposited in the guarantee account provided for in 20-9-622;~~

~~— (b) 5% of the retained amount must be deposited in the state school oil and natural gas impact account provided for in 20-9-517; and~~

~~— (c) 25% of the retained amount must be distributed to the counties for deposit in the county school oil and natural gas impact fund provided for in 20-9-518. (Terminates June 30, 2016--sec. 29, Ch. 418, L. 2011.)"~~

Renumber: subsequent sections

37. Page 21, line 1.

Strike: " 1 "

Insert: "and to a count of regularly enrolled pupils on"

38. Page 21, line 1 through line 2.

Strike: ",AND" on line 1 through "YEAR," on line 2

39. Page 21, line 3.

Strike: "FOUR"

Insert: "three"

40. Page 28, line 6.

Following: "20-9-330"

Insert: ", the data-for-achievement payment, and the general fund payments in 20-9-327 through 20-9-330"

41. Page 28, line 23.

Strike: "and" through "section"

42. Page 28, line 24 through line 25.

Strike: "for state" on line 24 through "aid" on line 25

43. Page 28, line 26.

Following: "received."

Insert: "Except as provided in subsection (2), money in the guarantee account must be used for state equalization aid."

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44. Page 30, line 8.

Strike: "AND"

45. Page 30, line 10.

Following: "payment;"

Insert: "and

(vii) the total natural resource development K-12 funding payment;"

46. Page 30, line 16.

Strike: "AND"

47. Page 30, line 18.

Following: "payment;"

Insert: "and

(vii) the total natural resource development K-12 funding payment;"

48. Page 30, line 26.

Strike: "AND"

Following: "payment"

Insert: ", and the total natural resource development K-12 funding payment"

49. Page 40, line 22.

Strike: "25"

Insert: "28"

50. Page 44, line 11.

Insert: "**Section 30.** Section 20-9-517, MCA, is amended to read:

"20-9-517. (Effective July 1, 2013 2016) State school oil and natural gas impact account. (1) There is a state school oil and natural gas impact account in the state special revenue fund provided for in 17-2-102. The purpose of the account is to provide money to schools that are not receiving oil and natural gas production taxes under 15-36-331 ~~but are impacted by contiguous counties that are benefiting from receipt of oil and natural gas production taxes~~ in an amount sufficient to address oil and gas development impacts.

(2) There must be deposited in the account oil and natural gas production taxes, if any, pursuant to ~~20-9-310(7)~~ 20-9-310(4)(b) and any amounts pursuant to 20-9-104(6).

(3) A school district may apply to the superintendent of public instruction for funds from the account for circumstances that are directly related to impacts resulting from the development or cessation of development of oil and natural gas as follows:

- (a) an unusual enrollment increase as determined pursuant to 20-9-314;
- (b) a district's need to hire new teachers or staff as a result of increased enrollment;
- (c) the opening or reopening of an elementary or high school approved by the superintendent of public instruction pursuant to 20-6-502 or 20-6-503; or
- (d) major maintenance for a school or district.

(4) In reviewing an applicant's request for funding, the superintendent of public instruction shall consider the following:

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- (a) the local district's or school's need;
- (b) the severity of the energy development impacts;
- (c) availability of funds in the account; and
- (d) the applicant district's ability to meet the needs identified in subsection (3).
- (5) The superintendent of public instruction shall adopt rules necessary to implement the application and distribution process.
- (6) The amount in the account may not exceed \$7.5 million. Any amount over \$7.5 million must be deposited in the state general fund guarantee account and distributed in the same manner as provided in 20-9-622(3)."

51. Page 46, line 11.

Following: "20-9-306"

Insert: "as part of the natural resource development K-12 funding payment referred to in 20-9-306"

52. Page 46, line 28 through line 30.

Strike: "common" on line 28 through "related" on line 30

53. Page 47, line 9.

Strike: "150%"

Insert: "130%"

54. Page 47, line 15.

Insert: "NEW SECTION. Section 35. Montana support for schools special revenue account. (1) There is a Montana support for schools special revenue account within the state special revenue fund established in 17-2-102.

(2) Money must be transferred into the Montana support for schools special revenue account pursuant to [section 36].

(3) Money in the account must be transferred to the guarantee account pursuant to and for the purposes described in [section 36]."

Insert: "NEW SECTION. Section 36. Transfers of funds. (1) Prior to June 30, 2013, there is transferred \$22,950,178 from the state general fund to the Montana support for schools special revenue account, provided for in [section 35], for purposes of funding the costs of restructuring the basic entitlement for fiscal years 2014 and 2015 under the provisions of [this act].

(2) After July 1, 2013, and prior to July 30, 2013, there is transferred from the Montana support for schools special revenue account to the guarantee account, provided for in 20-9-622, \$11,475,089 for state equalization aid in fiscal year 2014.

(3) After July 1, 2014, and prior to July 30, 2014, there is transferred from the Montana support for schools special revenue account to the guarantee account, provided for in 20-9-622, \$11,475,089 for state equalization aid in fiscal year 2015.

(4) The amounts transferred to the guarantee account under this section must be excluded from the calculation of excess interest and income revenue under 20-9-342."

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Insert: "NEW SECTION. Section 37. Appropriation. For the biennium beginning July 1, 2013, there is appropriated:

 (1) \$25.8 million from the state general fund to the office of public instruction for school district BASE aid;

 (2) \$22.3 million from the state school oil and natural gas distribution account for the purposes specified in [section 34]; and

 (3) \$13,522 from the state general fund to the office of public instruction for costs associated with the K-12 data task force under [section 1]."

Renumber: subsequent sections

55. Page 47, line 17.

Strike: "[Sections 1, 7, and 8]"

Insert: "[Sections 1 and 7]"

56. Page 47, line 30.

Strike: "25, 29, AND 30"

Insert: "28, 33, 34, and 35"

57. Page 48, line 2.

Strike: "25, 29, AND 30"

Insert: "28, 33, 34, and 35"

58. Page 48, line 3.

Strike: "24"

Insert: "27"

59. Page 48, line 4.

Strike: "24"

Insert: "27"

60. Page 48, line 10.

Strike: "SUBSECTION (2)"

Insert: "subsections (2) and (3)"

61. Page 48, line 14.

Following: "(2)"

Insert: "[Sections 9 and 30] are effective July 1, 2016.

(3)"

Strike: "26 AND 27"

Insert: "29 and 31"

62. Page 48, line 15.

Following: line 14

Insert: "NEW SECTION. Section 43. Termination. [Sections 8, 29, and 35] terminate June 30, 2016."

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Amendment adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 45

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Hansen moved **SB 175**, second reading copy, be amended as follows:

1. Title, page 2, line 13.

Following: "SECTIONS"

Insert: "20-2-121,"

2. Page 4.

Following: line 1

Insert: "**Section 3.** Section 20-2-121, MCA, is amended to read:

"20-2-121. Board of public education -- powers and duties. The board of public education shall:

(1) effect an orderly and uniform system for teacher certification and specialist certification and for the issuance of an emergency authorization of employment by adopting the policies prescribed by 20-4-102 and 20-4-111;

(2) consider the suspension or revocation of teacher or specialist certificates and appeals from the denial of teacher or specialist certification in accordance with the provisions of 20-4-110;

(3) administer and order the distribution of BASE aid in accordance with the provisions of 20-9-344;

(4) adopt and enforce policies to provide uniform standards and regulations for the

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design, construction, and operation of school buses in accordance with the provisions of 20-10-111;

(5) adopt policies prescribing the conditions when school may be conducted on Saturday and the types of pupil-instruction-related days and approval procedure for those days in accordance with the provisions of 20-1-303 and 20-1-304;

(6) adopt standards of accreditation and establish the accreditation status of every school in accordance with the provisions of 20-7-101 and 20-7-102;

(7) approve or disapprove educational media selected by the superintendent of public instruction for the educational media library in accordance with the provisions of 20-7-201;

(8) adopt policies for the conduct of special education in accordance with the provisions of 20-7-402;

(9) adopt rules for issuance of documents certifying equivalency of completion of secondary education in accordance with 20-7-131;

(10) adopt policies for the conduct of programs for gifted and talented children in accordance with the provisions of 20-7-903 and 20-7-904;

(11) adopt rules for student assessment in the public schools ensuring the following:

(a) that the technology infrastructure, connectivity, and capacity of all public schools and districts that administer statewide assessments pursuant to the common core curriculum adopted by the board on November 4, 2011, without the fiscal analysis required by 20-7-102(2) and (3) are load tested and independently verified to be adequate, efficient, and reliable; and

(b) that only after the testing and verification required in subsection (11)(a) occur may the full implementation of online common core assessments for K-12 public school students be conducted; and

(12) perform any other duty prescribed from time to time by this title or any other act of the legislature.""

3. Page 17, line 16.

Strike: "30"

Insert: "31"

4. Page 40, line 22.

Strike: "25"

Insert: "26"

5. Page 47, line 30.

Strike: "25, 29, AND 30"

Insert: "26, 30, and 31"

6. Page 48, line 2.

Strike: "25, 29, AND 30"

Insert: "26, 30, and 31"

7. Page 48, line 3.

Strike: "24"

Insert: "25"

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8. Page 48, line 4.

Strike: "24"

Insert: "25"

9. Page 48, line 14.

Strike: "26 AND 27"

Insert: "27 and 28"

Amendment **not** adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 48

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

SB 175 - Representative Hansen moved **SB 175**, second reading copy, be amended as follows:

1. Title, page 2, line 13.

Following: "SECTIONS"

Insert: "20-7-101,"

2. Page 4.

Following: line 1

Insert: "**Section 3.** Section 20-7-101, MCA, is amended to read:

"20-7-101. Standards of accreditation. (1) Standards of accreditation for all schools must be adopted by the board of public education upon the recommendations of the superintendent of public instruction.

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(2) Prior to adoption or amendment of any accreditation standard, the board shall submit each proposal to the education and local government interim committee for review. The interim committee shall request a fiscal analysis to be prepared by the legislative fiscal division. The legislative fiscal division shall provide its analysis to the interim committee and to the office of budget and program planning to be used in the preparation of the executive budget.

(3) If the fiscal analysis of the proposal is found by the legislative fiscal division to have a substantial fiscal impact, the board may not implement the standard until July 1 following the next regular legislative session and shall request that the same legislature fund implementation of the proposed standard. A substantial fiscal impact is an amount that cannot be readily absorbed in the budget of an existing school district program.

(4)(a) The board of public education may not adopt any additional standards related to the common core curriculum beyond those standards adopted by the board on November 4, 2011, until after October 1, 2018.

(b) Prior to September 1, 2018, the board of public education shall evaluate the effectiveness of the changes in standards of accreditation adopted by the board on November 4, 2011, and report to the education and local government interim committee. The evaluation and report must include:

(i) a comparison of student achievement before and after adoption of standards related to the common core curriculum;

(ii) an evaluation of the quality of curricula designed to meet the standards related to the common core curriculum;

(iii) a summary of the results of a survey of teachers related to the changes in standards of accreditation;

(iv) a consideration of other standards of accreditation that may result in increased levels of student achievement; and

(v) an evaluation of the assessment related to the common core curriculum and the assessment implementation.

~~(4)~~(5) Standards for the retention of school records must be as provided in 20-1-212."

Renumber: subsequent sections

3. Page 17, line 16.

Strike: "30"

Insert: "31"

4. Page 40, line 22.

Strike: "25"

Insert: "26"

5. Page 47, line 30.

Strike: "25, 29, AND 30"

Insert: "26, 30, and 31"

6. Page 48, line 2.

Strike: "25, 29, AND 30"

Insert: "26, 30, and 31"

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7. Page 48, line 3.

Strike: "24"

Insert: "25"

8. Page 48, line 4.

Strike: "24"

Insert: "25"

9. Page 48, line 14.

Strike: "26 AND 27"

Insert: "27 and 28"

Amendment **not** adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 48

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 52

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Schwaderer moved **SB 175**, second reading copy, be amended as follows:

1. Page 9, line 24.

Strike: "THE"

Insert: "personally identifiable"

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2. Page 9, line 25.

Strike: "INDIVIDUAL"

Insert: "personally identifiable"

3. Page 9, line 27.

Strike: "THIS"

Insert: "personally identifiable"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Kerns.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 - Representative Brodehl moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Eck, Edmunds, Ehli, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 85

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Nays: Cuffe, Curtis, Doane, Dudik, Fiscus, Fitzpatrick, Hertz, Kary, Lang, Lynch, Miller, Noonan, Squires, Warburton, Zolnikov.
Total 15

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 175 - Representative Salomon moved **SB 175**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Fitzpatrick, Flynn, Gibson, Gursky, Hagan, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 60

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Galt, Glimm, Greef, Hagstrom, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.
Total 40

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns,

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Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 86

Nays: Doane, Fitzpatrick, Galt, Greef, Harris, Kary, Lang, Miller, O'Neil, Regier, Warburton, White, Williams.
Total 13

Voted Absentee, None.

Excused: None.
Total 0

Absent or not voting: Zolnikov.
Total 1

MOTIONS

Representative Hansen moved **HB 277** be removed from third reading.

Motion **passed** as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 89

Nays: Berry, Connell, Court, Eck, Fiscus, Harris, Hertz, Hoven, Lenz, Neill, Osmundson.
Total 11

Voted Absentee: None.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

Representative Hansen moved that the rules be **suspended** to allow reconsider action on **HB 277**.

Motion **passed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Ballance, Court, Doane, Fiscus, Galt, Harris, Hertz, Hoven, Jones, Knudsen, Lenz, Osmundson, C. Smith, Warburton.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Hansen moved to **reconsider** action on **HB 277** and that **HB 277** be placed on second reading on Tuesday, April 16, 2013.

Motion **passed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Ballance, Brodehl, Court, Fiscus, Galt, Harris, Hertz, Hoven, Knudsen, Lenz, Osmundson, Regier, Warburton.
Total 13

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 188 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNiven, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 73

Nays: B. Bennett, Boland, Cook, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hill, Hunter, Jacobson, MacDonald, McCarthy, McNally, Mehlhoff, Neill, Pomnichowski, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.
Total 27

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 22 adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 64

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagstrom, Harris, Howard, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.

Total 36

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 26 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, Court, Doane, Flynn, Hansen, Harris, Jones, Kerns, O'Neil, Osmundson, Pomnichowski, Schwaderer, C. Smith, Vance, Williams.

Total 16

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 69 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: B. Bennett, J. Bennett, Berry, Brodehl, Doane, Gursky, Harris, Kerns, Miller, O'Neil, Squires, Zolnikov.

Total 12

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 108 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: J. Bennett, Brodehl, Cuffe, Doane, Galt, Halvorson, Hansen, Harris, Hollandsworth, Kerns, Knudsen, Laszloffy, O'Neil, Osmundson, Redfield, Regier, Schwaderer, C. Smith,

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Vance, Wagoner, Warburton, Zolnikov.

Total 22

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 264 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 76

Nays: Blyton, Brodehl, Doane, Fitzpatrick, Flynn, Galt, Glimm, Harris, Howard, Jones, Kerns, Knudsen, Miller, O'Neil, Randall, Regier, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 24

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 355 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall,

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Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Boss Ribs, Fitzpatrick, Whitford.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved **SB 173** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 240** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved **SB 280** be moved from the Committee of the Whole to the Appropriations committee.

Representative Vance moved **SB 175** be moved from the Committee of the Whole to the Appropriations committee.

Representative Hoven objected to the motion to re-refer **SB 175** to Appropriations.

Motion to re-refer **SB 175** to Appropriations **failed** as follows:

Yeas: Bangerter, Brodehl, Coffin, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Fiscus, Fitzpatrick, Glimm, Halvorson, Hertz, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Lavin, Lenz, Lynch, MacDonald, McCarthy, McNiven, Neill, Noonan, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, Schwaderer, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Zolnikov, Mr. Speaker.

Total 49

Nays: Ankney, Ballance, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Connell, Cook, Curtis, Ehli, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hill, Hollandsworth, Hoven, Jacobson, Kerns, Laszloffy, Lieser, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, O'Hara, Pease-Lopez, Peppers, Pierson, Price,

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Reichner, Salomon, Schreiner, Shaw, B. Smith, Welborn, Whitford, Wilmer, Wilson, Woods.
Total 51

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 97** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:
4/15/2013

Representative Wilmer, Vice Chair
Representative Blyton
Representative Lenz

Majority Leader Vance moved to appoint a Conference Committee on **HB 133** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:
4/15/2013

Representative Berry, Vice Chair
Representative Boland
Representative Lang

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 240** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:
4/15/2013

Representative C. Smith, Vice Chair
Representative Kerns
Representative MacDonald

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 345** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:
4/15/2013

Representative C. Smith, Vice Chair
Representative Fitzpatrick
Representative Steenberg

Majority Leader Vance moved to accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 148**. Motion Carried. Speaker Blasdel appointed:
4/15/2013

Representative Fitzpatrick
Representative Curtis
Representative Hagan

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Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 198**. Motion Carried. Speaker Blasdel appointed:

4/15/2013

Representative Lavin
Representative Laszloffy
Representative Lynch

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 223**. Motion Carried. Speaker Blasdel appointed:

4/15/2013

Representative Reichner
Representative D. Jones
Representative Squires

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 256**. Motion Carried. Speaker Blasdel appointed:

4/15/2013

Representative Randall
Representative Peppers
Representative Redfield

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SB 323**. Motion Carried. Speaker Blasdel appointed:

4/15/2013

Representative Salomon
Representative Pierson
Representative Schwaderer

Majority Leader Vance moved to accede to the request of the Senate and appoint a Conference Committee on **SJR 18**. Motion Carried. Speaker Blasdel appointed:

4/15/2013

Representative Halvorson
Representative Howard
Representative McCarthy

Representative Hertz moved to reconsider action on **SB 387** and that **SB 387** be placed on second reading on Monday, April 15, 2013.

Motion **failed** as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, McNiven, Osmundson, Randall, Redfield, Regier,

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Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 42

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Voted Absentee: None

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative Ankney moved that **SB 375** be taken from Judiciary and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 54

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 46

Voted Absentee: None

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Tuesday, April 16, 2013.
Motion carried.

House adjourned at 5:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTIETH LEGISLATIVE DAY**

Helena, Montana
April 16, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Coffin. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/16/2013

Correctly printed: **HJR 27, HJR 30, SB 96, SB 143, SB 226, SB 280, SB 282, SB 369, SB 401, SJR 22, SJR 23, SJR 24.**

Correctly engrossed: **HJR 25, HJR 29, SB 173, SB 240, SB 405, SB 408.**

Correctly enrolled: **HB 86, HB 116, HB 254, HB 320, HB 355, HB 401, HB 498, HB 575.**

Examined by the sponsor and found to be correct: **HB 86, HB 188, HB 464.**

Transmitted to the Senate: **HJR 22, HJR 26, SB 69, SB 108, SB 201, SB 264, SB 265, SB 355.**

Signed by the President at 4:16 p.m., April 16, 2013: **HB 286.**

Signed by the Speaker at 6:00 p.m., April 16, 2013: **HB 61, HB 64, HB 171, HB 233, HB 239, HB 258, HB 259, HB 313, HB 433, HB 442, HB 533, HB 560, HB 605.**

Delivered to the Governor for approval at 10:09 a.m., April 16, 2013: **HB 118.**

Delivered to the Secretary of State at 9:50 a.m., April 16, 2013: **HJR 16.**

COMMUNICATIONS AND PETITIONS

Mr. Speaker: We, your committee on Legislative Administration, having examined the daily journals for the sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, and seventieth legislative days, find the same to be correct.

Representative O'Hara, Chair

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/15/2013

SB 96, be concurred in. Report adopted.

SB 143, be concurred in. Report adopted.

SB 369, be concurred in. Report adopted.

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APPROPRIATIONS (Ankney, Chair):

4/16/2013

SB 173, be amended as follows:

1. Page 6, line 28.

Strike: "\$39.6"

Insert: "\$28.7"

And, as amended, be concurred in. Report adopted.

SB 226, be concurred in. Report adopted.

SB 240, be concurred in. Report adopted.

SB 280, be concurred in. Report adopted.

BUSINESS AND LABOR (Berry, Chair):

4/16/2013

HJR 25, introduced joint resolution, be amended as follows:

1. Title, page 1, line 6.

Following: "STRUCTURE,"

Insert: "THE STRUCTURE OF THE STATE COMPENSATION INSURANCE FUND,"

2. Page 2.

Following: line 1

Insert: "WHEREAS, several other states have dismantled their state-based workers' compensation funds and a 2003-2004 study of similarly changing Montana's workers' compensation system to allow the State Compensation Insurance Fund to become independent of the state was conducted by the State Compensation Insurance Fund itself, and a new review of the State Compensation Insurance Fund's independence is again timely;"

3. Page 2.

Following: line 19

Insert: "(5) the structure of the State Compensation Insurance Fund as a state agency, the implications of independence on the Montana workers' compensation insurance system, and the requirements for separating the State Compensation Insurance Fund from state government;"

Renumber: subsequent subsections

4. Page 2, line 24.

Strike: "and"

5. Page 2, following line 24.

Insert: "(8) the impact on employees of changes to benefits, the definition of permanent partial disability, and other provisions enacted by the 2011 Legislature in House Bill No. 334; and"

Renumber: subsequent subsections

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And, as amended, do pass. Report adopted.

SJR 24, be concurred in. Report adopted.

JUDICIARY (Kerns, Chair):

4/16/2013

HJR 29, introduced joint resolution, be amended as follows:

1. Page 2, line 9.

Strike: "Montana"

Insert: "federal, state, and local"

2. Page 2, line 13.

Following: "trafficking;"

Strike: "and"

3. Page 2, line 14.

Following: "among"

Insert: "federal,"

Following: "state"

Insert: ", "

4. Page 2, line 15.

Following: "trafficking"

Strike: "."

Insert: "and help rescue victims;"

5. Page 2, following line 15.

Insert: "(7) analyze if and how Montana's international border is used for human trafficking; and
(8) identify how and why victims are recruited for human trafficking."

6. Page 2, line 16.

Following: "study"

Insert: "should"

7. Page 2, line 18.

Following: "law enforcement,"

Insert: "community and faith-based organizations,"

And, as amended, do pass. Report adopted.

SJR 22, be concurred in. Report adopted.

NATURAL RESOURCES (Bennett, Chair):

4/15/2013

HJR 27, do pass. Report adopted.

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TAXATION (Miller, Chair):

4/16/2013

HJR 30, do pass. Report adopted.

SJR 23, be concurred in. Report adopted.

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/15/2013

HB 86, introduced by O'Hara

HB 116, introduced by Eck

HB 254, introduced by Cook

HB 320, introduced by B. Bennett

HB 355, introduced by Clark

HB 401, introduced by Welborn

HB 498, introduced by Hill

HB 575, introduced by Berry

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/15/2013

HB 4, introduced by Ankney

HB 10, introduced by Pomnichowski

HB 11, introduced by Gibson

HB 363, introduced by Berry

HB 444, introduced by Jacobson

HB 582, introduced by Hertz

HB 583, introduced by Cook

House amendments to Senate bills concurred in:

4/15/2013

SB 94, introduced by D. Brown

SB 160, introduced by Tropila

SB 183, introduced by Arntzen

SB 250, introduced by Debby Barrett

SB 275, introduced by Buttrey

SB 325, introduced by Olson

Governor's amendments to House bill concurred in and returned to the House:

4/15/2013

HB 131, introduced by Gursky

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MESSAGES FROM THE GOVERNOR

April 15, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Monday, April 15, I signed and delivered the following House bills to the Secretary of State:

House Bill 66 - Hoven
House Bill 84 - Noonan
House Bill 124 - O'Hara
House Bill 127 - Berry
House Bill 170 - Galt
House Bill 388 - Cuffe
House Bill 451 - Galt
House Bill 465 - Blyton
House Bill 502 - Brodehl

Sincerely,

STEVE BULLOCK
Governor

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Randall in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 277 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 277** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli,

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Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Doane, Harris, Hertz, O'Neil.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 403 - Senate Amendments - Representative Hill moved Senate amendments to **HB 403** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 477 - Senate Amendments - Representative Berry moved Senate amendments to **HB 477** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

Nays: Fitzpatrick, Hagan, Kary, Knudsen, Lang, Laszloffy, Lenz, McNiven, Redfield, Schwaderer, White, Zolnikov.
Total 12

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Glimm.
Total 1

HB 478 - Senate Amendments - Representative Laszloffy moved Senate amendments to **HB 478** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: Ankney, J. Bennett, Hansen, Lavin, Regier, Warburton, Welborn, White, Zolnikov.
Total 9

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: Reichner.

Total 1

HB 494 - Senate Amendments - Representative Glimm moved Senate amendments to **HB 494** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schwaderer.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 499 - Senate Amendments - Representative Hill moved Senate amendments to **HB 499** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B.

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Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Regier, White.
Total 2

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 524 - Senate Amendments - Representative Clark moved Senate amendments to **HB 524** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: Brodehl, Glimm, Lenz, Mehlhoff, Miller, C. Smith.
Total 6

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 545 - Majority Leader Vance moved consideration of **HB 545** be passed for the day. Motion Carried.

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HB 562 - Governor's Amendments - Representative Swanson moved Governor's amendments to **HB 562** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Ballance, Salomon, White.
Total 3

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 23 - Governor's Amendments - Representative Fitzpatrick moved Governor's amendments to **SB 23** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 95

Nays: Galt, Lavin, Regier, White, Zolnikov.
Total 5

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 44 - Governor's Amendments - Representative Williams moved Governor's amendments to **SB 44** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Howard.

Total 1

SB 105 - Governor's Amendments - Representative McNiven moved Governor's amendments to **SB 105** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Greef, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 139 - Governor's Amendments - Representative C. Smith moved Governor's amendments to **SB 139** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 282 - Representative Hoven moved **SB 282** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore,

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Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 401 - Representative Noonan moved **SB 401** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: Doane, Fitzpatrick, Harris, Jones, Kary, Kerns, C. Smith.
Total 7

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 405 - Representative Washburn moved **SB 405** be concurred in.

SB 405 - Representative Knudsen moved **SB 405**, second reading copy, be amended as follows:

1. Title, line 9 through line 10.

Following: "AT" on line 9

Strike: "A SPECIAL" on line 9 through "ELECTION" on line 10

Insert: "THE GENERAL ELECTION TO BE HELD IN NOVEMBER 2014"

2. Page 4, line 30 through page 5, line 1.

Strike: "A SPECIAL" on page 4, line 30 through "OF" on page 5, line 1

Insert: "the general election to be held in November"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 405 - Representative B. Bennett moved **SB 405**, second reading copy, be amended as follows:

1. Title, page 1, line 5 through line 8.

Strike: "PROTECTING" on line 5 through "ACT;" on line 8

Insert: "ELIMINATING ELECTION DAY LATE VOTER REGISTRATION AND ENDING LATE

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VOTER REGISTRATION THE FRIDAY BEFORE ELECTION DAY;"

2. Title, line 9 through line 10.

Following: "MONTANA" on line 9

Strike: remainder of line 9 through "ELECTION" on line 10

3. Page 4, line 30 through page 5, line 1.

Strike: "A SPECIAL" on page 4, line 30 through "OF" on page 5, line 1

Insert: "the general election to be held in November"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 405 - Representative Brodehl moved for cloture. Motion Carried. Motion **failed** as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 65

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 405 - Representative Hertz moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 66

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 34

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

On a **Point of Order** Representative Kary questioned Representative Hill's comments and requested that her testimony stay on the bill.

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SB 405 - Representative Schwaderer moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 67

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Jacobson, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 33

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 405 - Representative Washburn moved **SB 405**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 40

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 408 - Representative Ankney moved **SB 408** be concurred in.

SB 408 - Representative Ankney moved **SB 408**, second reading copy, be amended as follows:

1. Page 25, line 18 through 29.

Strike: section 28 in its entirety

Renumber: subsequent sections

2. Page 67, line 13.

Strike: "32"

Insert: "31"

3. Page 67, line 14.

Strike: "32"

Insert: "31"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: Berry, Squires.

Total 2

SB 408 - Representative Brodehl moved for cloture. Motion Carried. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Brockie, Coffin, Court, Curtis, Dudik, Gursky, Jacobson, Lieser, Lynch, MacDonald, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilson, Woods.

Total 28

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 408 - Representative Ankney moved **SB 408**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 42

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Randall moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 37

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 54 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: Ballance, J. Bennett, Cuffe, Doane, Flynn, Glimm, Hagstrom, Harris, Hoven, Jones, Kerns, Knudsen, Miller, Osmundson, Randall, Schwaderer, C. Smith, Vance, Zolnikov.

Total 19

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 18 failed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Brodehl, Clark, Coffin, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Galt, Glimm, Greef, Gursky, Halvorson, Hertz, Hill, Hollenbaugh, Hunter, Ingraham, Jones, Knudsen, Lang, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, Moore, Neill, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Salomon, Shaw, Steenberg, Swanson, Warburton, Williams, Wilmer, Woods, Mr. Speaker.

Total 50

Nays: J. Bennett, Berry, Boland, Boss Ribs, Brockie, Connell, Cook, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Gibson, Hagan, Hagstrom, Hansen, Harris, Hollandsworth, Hoven, Howard, Jacobson, Kary, Kerns, Laszloffy, Lynch, McClafferty, McNiven, Mehlhoff, Miller, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Randall, Redfield, Reichner, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilson, Zolnikov.

Total 50

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 117 concurred in as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Ankney, Harris, Welborn, Zolnikov.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 201 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

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Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 231 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Gibson, Gursky, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 66

Nays: J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, McNiven, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Warburton, Washburn, Welborn, Mr. Speaker.

Total 34

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 265 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 386 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.
Total 86

Nays: Edmunds, Fitzpatrick, Galt, Harris, Jones, Kerns, Knudsen, McNiven, Randall, Schwaderer, C. Smith, Vance, Zolnikov, Mr. Speaker.
Total 14

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 392 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally,

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McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 68

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Edmunds, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Moore, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov, Mr. Speaker.

Total 32

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Wilmer moved to change her vote on **SB 23** from No to Yes. Without objection, so ordered.

Representative Fiscus moved to change his vote on **SB 265** from No to Yes. Without objection, so ordered.

Majority Leader Vance moved to appoint a Conference Committee on **HB 277** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/16/2013

Representative McChesney, Vice Chair

Representative Greef

Representative Hansen

Minority Leader Hunter moved that **SB 395** be taken from Human Services and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 49

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Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 51

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, April 17, 2013. Motion carried.

House adjourned at 3:45 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-FIRST LEGISLATIVE DAY**

Helena, Montana
April 17, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Brockie.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/17/2013

Correctly printed: **HJR 25, HJR 27, HJR 29, HJR 30, HJR 32, SB 173, SB 370, SJR 22, SJR 23, SJR 24.**

Correctly engrossed: **SJR 14, SJR 15, SJR 20.**

Correctly enrolled: **HB 15, HB 16, HB 54, HB 87, HB 415, HB 478, HB 524, HB 630.**

Examined by the sponsor and found to be correct: **HB 15, HB 16, HB 54, HB 87, HB 116, HB 254, HB 320, HB 355, HB 401, HB 415, HB 498, HB 575, HB 630.**

Transmitted to the Senate: **SB 96, SB 117, SB 175, SB 226, SB 231, SB 240, SB 280, SB 282, SB 369, SB 386, SB 392, SB 401, SB 405, SB 408.**

Signed by the Speaker at 8:35 a.m., April 18, 2013: **HB 15, HB 16, HB 54, HB 87.**

Signed by the Speaker at 8:40 a.m., April 18, 2013: **HB 116, HB 254, HB 320.**

Signed by the Speaker at 8:45 a.m., April 18, 2013: **HB 355, HB 401, HB 415, HB 498, HB 575, HB 630.**

Signed by the Speaker at 9:25 a.m., April 17, 2013: **HB 86, HB 464.**

Signed by the Chief Clerk of the House at 9:40 a.m., April 17, 2013: **HB 86, HB 464.**

Signed by the Chief Clerk of the House at 12:33 p.m., April 18, 2013: **HB 15.**

Signed by the Chief Clerk of the House at 12:30 p.m., April 18, 2013: **HB 16, HB 54, HB 87, HB 116, HB 254, HB 320, HB 355, HB 401.**

Signed by the Chief Clerk of the House at 12:40 p.m., April 18, 2013: **HB 415, HB 498, HB 575, HB 630.**

Signed by the President at 10:45 a.m., April 17, 2013: **HB 86.**

Delivered to the Governor for approval at 9:00 a.m., April 17, 2013: **HB 61, HB 64, HB 171, HB 233, HB 239, HB 258, HB 259, HB 286, HB 313, HB 433, HB 442, HB 533, HB 560, HB 605.**

Delivered to the Governor for approval at 2:50 p.m., April 17, 2013: **HB 86.**

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 395**
Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 395**

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(reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 395** (reference copy -- salmon) be amended as follows:

1. Page 1, line 21.

Following: "public"

Insert: "of the general public"

Following: "WHO ARE"

Insert: "or have been"

For the Senate:

T. Brown, Chair
Phillips
Taylor

For the House:

Wagoner, Vice-Chair
Randall
Williams

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 206**
Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 206** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 206** (reference copy -- salmon) be amended as follows:

1. Page 1, line 21.

Following: "."

Insert: "In cases in which judgment is entered by default, no charge except the fee provided in subsection (1) for the filing of the complaint may be made for any services, including issuing and return of execution."

For the Senate:

Sales, Chair
Blewett
Fielder

For the House:

Flynn, Vice-Chair
Fitzpatrick
Gursky

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 301**
Report No. 001, April 17, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 301** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

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And, recommend that **House Bill 301** (reference copy -- salmon) be amended as follows:

1. Page 1, line 17.

Strike: "80%"

Insert: "100%"

2. Page 1, line 24.

Strike: "80%"

Insert: "100%"

3. Page 1, line 25.

Strike: "80%"

Insert: "100%"

4. Page 2, line 4.

Strike: "80% of"

5. Page 2, line 6.

Strike: "80% of"

6. Page 3, line 15.

Strike: "80%"

Insert: "100%"

For the Senate:

F. Moore, Chair

Arntzen

Facey

For the House:

Halvorson, Vice-Chair

Pomnichowski

Washburn

FREE CONFERENCE COMMITTEE

on **Senate Bill 101**

Report No. 001, April 16, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 101** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 101** (reference copy -- salmon) be amended as follows:

1. Page 3, line 14.

Following: "nonambulatory"

Strike: "or"

Insert: ", "

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Following: "mobility"

Insert: ", or to have a documented genetic condition that limits the person's ability to walk or carry significant weight for long distances"

2. Page 3.

Following: line 20

Insert: "(iii) "Documented genetic condition" means a diagnosis derived from genetic testing and confirmed by a licensed physician."

Renumber: subsequent subsections

3. Page 3, line 26 through line 27.

Strike: "A PERMANENT" on line 26 through "MEDICAL CONDITION OR" on line 27

For the Senate:

Brenden, Chair
Facey
Felder

For the House:

Flynn, Vice Chair
Jacobson
Welborn

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/16/2013

HB 15, introduced by McClafferty

HB 16, introduced by Hill

HB 87, introduced by Welborn

HB 415, introduced by Hagan

HB 630, introduced by Williams

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/16/2013

HB 2, introduced by Ankney

HB 5, introduced by Ankney

HB 6, introduced by Cook

HB 12, introduced by Pease-Lopez

HB 13, introduced by Swanson

HB 354, introduced by Connell

HB 447, introduced by Peppers

HB 580, introduced by Connell

HB 586, introduced by Cuffe

HB 604, introduced by C. Smith

HB 609, introduced by Connell

HB 625, introduced by Ankney

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House bills not concurred in and returned to the House: 4/16/2013

HB 404, introduced by Flynn

HB 420, introduced by Salomon

HB 505, introduced by Kerns

HB 579, introduced by Hagan

HB 627, introduced by Osmundson

Senate joint resolution passed and transmitted to the House for concurrence: 4/16/2013

SJR 26, introduced by Arntzen

House amendments to Senate bill concurred in: 4/16/2013

SB 31, introduced by Debby Barrett

House amendments to Senate bill not concurred in: 4/16/2013

SB 348, introduced by Thomas

MESSAGES FROM THE GOVERNOR

April 16, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Tuesday, April 16, I signed and delivered the following House bills to the Secretary of State:

House Bill 9 - Hollandsworth

House Bill 117 - Eck

House Bill 287 - Salomon

House Bill 513 - McChesney

House Bill 566 - Woods

Sincerely,

STEVE BULLOCK
Governor

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FIRST READING AND COMMITMENT OF BILLS

The following House joint resolution was introduced, read first time, and referred to committee:

HJR 32, introduced by Woods, Windy Boy, referred to Education.

The following Senate joint resolution was introduced, read first time, and referred to committee:

SJR 26, introduced by Arntzen, Arthun, Brenden, D. Brown, Buttrey, Hamlett, L. Jones, Rosendale, Sonju, Taylor, Thomas, Tutvedt, Webb, referred to Transportation.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 405 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 408 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang,

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Laszloffy, Lavin, Lenz, McNiven, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fitzpatrick, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 43

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 403 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 477 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kerns, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 82

Nays: Cuffe, Fitzpatrick, Kary, Knudsen, Lang, Laszloffy, Lenz, McNiven, Osmundson, Randall, Redfield, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.
Total 18

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 478 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.
Total 85

Nays: J. Bennett, Boland, Brockie, Coffin, Court, Kerns, MacDonald, McCarthy, Pease-Lopez, Pomnichowski, Price, White, Woods, Zolnikov.
Total 14

Voted Absentee: None.

Excused: None.
Total 0

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Absent or not voting: Hoven.

Total 1

HB 494 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 499 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Washburn, White.

Total 2

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Schwaderer.

Total 1

HB 524 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 93

Nays: J. Bennett, Brodehl, Glimm, Lenz, Mehlhoff, Miller, C. Smith.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 562, as amended by the Governor, passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 100

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Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 23, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 97

Nays: Galt, White, Zolnikov.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 44, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall,

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Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 73

Nays: B. Bennett, Boss Ribs, Brockie, Court, Curtis, Dudik, Gursky, Hill, Hollenbaugh, Hunter, MacDonald, McCarthy, McClafferty, Neill, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 27

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 143 failed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagan, Hagstrom, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller,

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O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 50

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 175 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Flynn, Gibson, Gursky, Hagan, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Hagstrom, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Cuffe.

Total 1

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SB 226 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 71

Nays: Ankney, B. Bennett, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gibson, Hill, Hollandsworth, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Pease-Lopez, Pomnichowski, Price, Schreiner, Squires, Welborn, Whitford, Williams, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 240 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Court, Eck, Hill, MacDonald, Pease-Lopez, Pomnichowski, Squires, Wilson.

Total 8

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 280 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 282 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 369 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Court, Dudik, McCarthy, McNally, Zolnikov.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 401 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

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Nays: Doane, Fitzpatrick, Jones, Kary, Kerns, Pomnichowski, Reichner.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Shaw in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 363 - Senate Amendments - Representative Berry moved Senate amendments to **HB 363** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Dudik, Glimm, Hollenbaugh, Regier, Squires, White.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: Miller.

Total 1

HB 582 - Senate Amendments - Representative Hertz moved Senate amendments to **HB 582** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Dudik, Glimm, Hollenbaugh, Peppers, Regier, Squires, White.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 583 - Senate Amendments - Representative Cook moved Senate amendments to **HB 583** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

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Nays: Dudik, Harris, Lieser, McCarthy, McNiven, Schreiner, Wagoner.
Total 7

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 25 - Representative Reichner moved **HJR 25** be adopted. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Swanson, Warburton, Washburn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 58

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Doane, Dudik, Eck, Edmunds, Galt, Gursky, Halvorson, Hansen, Harris, Hill, Hollenbaugh, Jones, Kerns, Laszloffy, Lieser, Lynch, MacDonald, McClafferty, McNally, Noonan, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Squires, Steenberg, Vance, Wagoner, Welborn, Whitford, Williams, Wilson, Woods.
Total 42

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 27 - Representative Williams moved **HJR 27** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn,

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Whitford, Williams, Wilmer, Wilson, Woods.

Total 64

Nays: Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Harris, Hertz, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 36

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 29 - Representative Gursky moved **HJR 29** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 80

Nays: J. Bennett, Brodehl, Clark, Cook, Flynn, Galt, Hagstrom, Harris, Howard, Kerns, Knudsen, Lang, Randall, Redfield, Reichner, C. Smith, Vance, Welborn, White, Mr. Speaker.

Total 20

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 30 - Representative Hansen moved **HJR 30** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie,

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Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: J. Bennett, Brodehl, Cook, Doane, Galt, Halvorson, Harris, Jones, Kerns, Knudsen, Lang, Randall, Redfield, Salomon, C. Smith, Vance, Welborn.

Total 17

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 - Representative Reichner moved **SB 173** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Howard, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ballance, Berry, Coffin, Doane, Eck, Hagstrom, Halvorson, Harris, Hoven, Hunter, Jones, Kerns, Knudsen, McNiven, Reichner, C. Smith, Swanson, Vance, Wagoner, Warburton, White, Zolnikov.

Total 22

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 370 - Representative Zolnikov moved **SB 370** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 89

Nays: Ankney, Curtis, Hollenbaugh, Lynch, McClafferty, Noonan, O'Neil, Peppers, B. Smith, Welborn, Mr. Speaker.

Total 11

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 14 - Representative D. Moore moved **SJR 14** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Redfield, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 71

Nays: J. Bennett, Boland, Brodehl, Cuffe, Doane, Fitzpatrick, Galt, Glimm, Halvorson, Harris, Jones, Kerns, Knudsen, Laszloffy, McNiven, Pease-Lopez, Peppers, Price, Randall, Regier, Reichner, C. Smith, Squires, Vance, Wagoner, Welborn, White, Zolnikov, Mr. Speaker.

Total 29

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 15 - Representative Connell moved **SJR 15** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 87

Nays: Clark, Cook, Court, Halvorson, Harris, Howard, Kerns, Pease-Lopez, Pomnichowski, Salomon, B. Smith, Vance, Wagoner.

Total 13

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 20 - Representative Pierson moved **SJR 20** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 73

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Edmunds, Galt, Glimm, Halvorson, Hansen, Harris, Ingraham, Jones, Kerns, Knudsen, Lang, Laszloffy, O'Neil, Osmundson, Randall,

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Redfield, Regier, Schwaderer, Vance, Wagoner, White, Mr. Speaker.

Total 27

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 22 - Representative Hill moved **SJR 22** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 89

Nays: Brodehl, Doane, Galt, Glimm, Halvorson, Harris, Kerns, Knudsen, Redfield, Vance, White.

Total 11

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 23 - Representative Hoven moved **SJR 23** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 71

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Hansen, Harris, Howard, Jones, Kerns, Knudsen, Lang, Laszloffy, Osmundson, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov.

Total 29

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 24 - Representative Hagan moved **SJR 24** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 73

Nays: Ballance, J. Bennett, Brodehl, Doane, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Jones, Kerns, Knudsen, Laszloffy, Lenz, O'Neil, Osmundson, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Welborn, White, Mr. Speaker.

Total 27

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Shaw moved the Committee of the Whole report be adopted. Report adopted as follows:

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Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Gibson, Lynch, Pomnichowski.
Total 3

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Schreiner moved that **SB 195** be taken from Business and Labor and brought before the Committee of the Whole.

Motion **failed** as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.
Total 48

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.
Total 52

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Thursday, April 18, 2013.
Motion carried.

House adjourned at 2:40 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-SECOND LEGISLATIVE DAY**

Helena, Montana
April 18, 2013

House Chambers
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Howard.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/18/2013

Correctly engrossed: **HJR 31**.

Correctly enrolled: **HB 363, HB 403, HB 477, HB 494, HB 499, HB 582, HB 583**.

Examined by the sponsor and found to be correct: **HB 477, HB 494**.

Transmitted to the Senate: **HJR 25, HJR 27, HJR 29, HJR 30, SB 173, SB 370, SJR 14, SJR 15, SJR 20, SJR 22, SJR 23, SJR 24**.

Signed by the President at 3:20 p.m., April 18, 2013: **HB 15, HB 16, HB 116, HB 320, HB 355, HB 401, HB 415, HB 498, HB 575, HB 630**.

Delivered to the Governor for approval at 4:30 p.m., April 18, 2013: **HB 15, HB 16, HB 116, HB 320, HB 355, HB 401, HB 415, HB 498, HB 575, HB 630**.

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Bennett, Chair):

4/17/2013

HJR 31, introduced joint resolution, be amended as follows:

1. Title, page 1, line 5.

Strike: "REQUIRING"

Insert: "REQUESTING"

And, as amended, do pass. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 100**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 100** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 100** (reference copy -- salmon) be amended as follows:

1. Page 1, line 26.

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Strike: "FIXED-FEE"

Insert: "cost-and-benefit-based incentive"

Strike: "NOT TO EXCEED \$300 PER MONTH"

Insert: "in an amount approved by the 2015 legislature"

2. Page 2, line 6.

Strike: "FIXED-FEE"

Insert: "cost-and-benefit-based incentive"

3. Page 2, line 7.

Strike: "AND"

4. Page 2, line 8.

Strike: " "

Insert: "; (iii) integration and coordination of care;

(iv) the development and use of individualized treatment plans; and

(v) efforts to ensure recovery and permanent placement for children who are receiving medicaid mental health services or who are in foster care under the supervision of the state.

(4) The legislature shall review the results of the pilot project to determine whether:

(a) the project should be continued or expanded; and

(b) modifications are needed before the pay-for-performance model is expanded to include additional children, providers, or services."

5. Page 3, line 14.

Strike: "NINE"

Insert: "14"

6. Page 3, line 15.

Strike: "THREE"

Insert: "eight"

7. Page 3, line 23.

Strike: "ONE PROVIDER"

Insert: "three providers"

8. Page 3, line 24.

Strike: "ONE"

Insert: "three"

9. Page 3, line 25.

Strike: "AND"

Insert: "(b) two family members of children who have received medicaid mental health services;

(c) one representative of the Montana university system who has experience in measuring outcomes for children; and"

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10. Page 3, line 30.

Strike: "(B)"

Insert: "(d)"

11. Page 4, line 22.

Strike: "FIXED-FEE"

Insert: "cost-and-benefit-based incentive"

12. Page 4, line 22 through line 23.

Strike: "NOT TO EXCEED" on line 22 through "MONTH" on line 23

Insert: "that is formulated using performance-based and cost-and-benefit-based analysis principles"

For the Senate:

Thomas, Chair
Jergeson
Priest

For the House:

Ehli, Vice Chair
Hagstrom
Noonan

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 184**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 184** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 184** (reference copy -- salmon) be amended as follows:

1. Title, page 1, lines 6 through 7.

Strike: "UNLESS THE PERSONAL TRANSACTION DIRECTLY INVOLVES THE SALESPERSON'S SUPERVISING BROKER OR REAL ESTATE FIRM"

2. Page 2, lines 1 through 2.

Strike: "UNLESS THE PERSONAL" on line 1 through "FIRM" on line 2

For the Senate:

Arntzen, Chair
Debby Barrett
Facey

For the House:

Fiscus, Vice Chair
Curtis
Kary

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CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 473**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 473** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 473** (reference copy -- salmon) be amended as follows:

1. Page 3, line 3.

Following: "PAYMENT"

Insert: "to the provider"

For the Senate:

Murphy, Chair
Caferro
Thomas

For the House:

Reichner, Vice Chair
Boland
Galt

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 497**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 497** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 497** (reference copy -- salmon) be amended as follows:

1. Page 1, line 20.

Following: "gatherings"

Insert: "at which a person under 21 years of age is in possession of or is consuming an alcoholic beverage"

For the Senate:

Sales, Chair
Boulanger
Jent

For the House:

White, Vice Chair
Lavin
Schreiner

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CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 198**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 198** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 198** (reference copy -- salmon) be amended as follows:

1. Page 1, line 18.

Following: "minor"

Strike: "UNDER 45-5-201(1)(A)"

2. Page 1, line 21.

Strike: "5"

Insert: "10"

3. Page 1, line 25.

Following: "minor"

Strike: "UNDER 45-5-201(1)(A)"

For the Senate:

Thomas, Chair
Boulanger
Tropila

For the House:

Lavin, Vice Chair
Laszloffy
Lynch

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 223**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 223** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 223** (reference copy -- salmon) be amended as follows:

1. Page 4, line 11.

Strike: ", INCLUDING TERMINATION OF FUNDING SOURCES"

2. Page 6, line 13 through line 14.

Strike: "LEGISLATION" on line 13

Insert: "language"

Strike: ", AND CHANGES" on line 13 through "ASSOCIATION" on line 14

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3. Page 6, line 15.

Strike: "AND THE PROPOSED LEGISLATION"

For the Senate:

Murphy, Chair
Caferro
Webb

For the House:

Reichner, Vice Chair
D. Jones
Squires

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Dudik in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 8 - Governor's Amendments - Representative Cook moved Governor's amendments to **HB 8** be **not** concurred in. Motion **failed** as follows:

Yeas: Ankney, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Greef, Hagan, Hagstrom, Hansen, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, Randall, Redfield, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Mr. Speaker.

Total 48

Nays: Ballance, B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Glimm, Gursky, Halvorson, Harris, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 52

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 206 - Conference Committee Report No. 1 - Representative Flynn moved the Conference Committee report to **HB 206** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Gursky, Harris, Kerns, Miller, Schwaderer.
Total 5

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 301 - Conference Committee Report No. 1 - Representative Halvorson moved the Conference Committee report to **HB 301** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Kerns, Lynch, Noonan, O'Neil.
Total 4

Voted Absentee: None.

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Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 354 - Senate Amendments - Representative Connell moved Senate amendments to **HB 354** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 92

Nays: Ballance, Court, Doane, Harris, Jones, Kerns, C. Smith, Zolnikov.
Total 8

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 395 - Conference Committee Report No. 1 - Representative Wagoner moved the Conference Committee report to **HB 395** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods,

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Zolnikov, Mr. Speaker.

Total 92

Nays: B. Bennett, Brockie, Court, Eck, Hertz, Neill, Wilmer.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Reichner.

Total 1

HB 444 - Senate Amendments - Representative Jacobson moved Senate amendments to **HB 444** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr.

Speaker.

Total 91

Nays: Brodehl, Fiscus, Harris, Kary, Kerns, McNiven, Randall, Redfield, Zolnikov.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 447 - Senate Amendments - Representative Peppers moved Senate amendments to **HB 447** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus,

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Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: J. Bennett, Brodehl, Cuffe, Flynn, Hagstrom, Harris, Howard, Kary, Kerns, Lang, O'Neil, Redfield, Schwaderer, Zolnikov.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 545 - Senate Amendments - Representative Reichner moved Senate amendments to **HB 545** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: J. Bennett.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.
Total 0

HB 580 - Senate Amendments - Representative Connell moved Senate amendments to **HB 580** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 86

Nays: J. Bennett, Flynn, Halvorson, Harris, Howard, Jones, Kary, Kerns, McNiven, Schwaderer, C. Smith, Wagoner, Zolnikov.
Total 13

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Reichner.
Total 1

HB 586 - Senate Amendments - Representative Cuffe moved Senate amendments to **HB 586** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

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Nays: Doane, Galt, Hansen, Kary, Kerns, McNiven, Peppers, Redfield, Schwaderer, Warburton, White, Zolnikov.

Total 12

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

HB 604 - Senate Amendments - Representative C. Smith moved Senate amendments to **HB 604** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNally, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Williams, Zolnikov, Mr. Speaker.

Total 63

Nays: Ankney, B. Bennett, Boss Ribs, Brockie, Coffin, Court, Curtis, Eck, Gursky, Hansen, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, Mehlhoff, Neill, Noonan, Pease-Lopez, Pierson, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 - Senate Amendments - Representative Connell moved Senate amendments to **HB 609** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary,

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Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pomnichowski, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.
Total 80

Nays: Ballance, Boland, Brockie, Coffin, Jacobson, Lang, Lieser, McCarthy, Mehlhoff, Miller, Pease-Lopez, Peppers, Pierson, Price, Randall, C. Smith, Squires, Swanson, Williams, Zolnikov.
Total 20

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 101 - Free Conference Committee Report No. 1 - Representative Jacobson moved the Free Conference Committee report to **SB 101** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 75

Nays: Brodehl, Cuffe, Doane, Fitzpatrick, Glimm, Hansen, Howard, Ingraham, Jones, Kary, Kerns, Laszloffy, Lenz, McNiven, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, C. Smith, Wagoner, Warburton, White, Zolnikov.
Total 25

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 8 - Representative Cook moved reconsideration of actions taken on **HB 8**. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Eck, Greef, Gursky, Halvorson, Harris, Hill, Hunter, Jacobson, Lynch, MacDonald, McNally, Neill, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson.
Total 36

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 8 - Governor's Amendments - Representative Cook moved Governor's amendments to **HB 8** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Hagan, Hagstrom, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 53

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Greef, Gursky, Halvorson, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 47

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Dudik moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Dudik.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Connell, Regier.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 363 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McCarthy, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Peppers,

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Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Wilmer, Zolnikov, Mr. Speaker.
Total 67

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McNally, Neill, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Schreiner, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilson, Woods.
Total 32

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Fitzpatrick.
Total 1

HB 582 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 65

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.
Total 34

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Edmunds.
Total 1

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HB 583 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, Greef, Halvorson, Harris, Kerns, O'Neil, Regier, Wagoner.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 25 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Knudsen, Lang, Lavin, Lenz, McNiven, Miller, Moore, Neill, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Warburton, Washburn, White, Williams, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Doane, Dudik, Eck, Galt, Gursky, Halvorson, Hansen, Harris, Hill, Hollenbaugh, Jacobson, Kerns, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Welborn, Whitford, Wilmer, Wilson, Woods.

Total 47

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 27 adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 62

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Halvorson, Harris, Hertz, Howard, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov.

Total 38

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HJR 29 adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 76

Nays: Ballance, J. Bennett, Brodehl, Cook, Cuffe, Flynn, Galt, Glimm, Hagstrom, Harris, Howard, Kerns, Knudsen, Lang, O'Neil, Osmundson, Randall, Redfield, C. Smith, Vance,

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Wagoner, Welborn, White, Mr. Speaker.
Total 24

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 30 adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 80

Nays: J. Bennett, Brodehl, Cook, Doane, Eck, Galt, Glimm, Halvorson, Harris, Kerns, Knudsen, Lang, Osmundson, Randall, Redfield, Salomon, C. Smith, Vance, Welborn, White.
Total 20

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 173 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Dudik, Edmunds, Ehli, Fiscus, Galt, Gibson, Glimm, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Salomon, Schreiner,

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Shaw, Squires, Steenberg, Washburn, Welborn, Whitford, Williams, Wilmer, Mr. Speaker.
Total 69

Nays: Ballance, J. Bennett, Coffin, Doane, Eck, Fitzpatrick, Flynn, Greef, Hagstrom, Halvorson, Harris, Hunter, Jones, Kerns, Knudsen, McNiven, O'Neil, Osmundson, Randall, Reichner, Schwaderer, B. Smith, C. Smith, Swanson, Vance, Wagoner, Warburton, White, Wilson, Woods, Zolnikov.
Total 31

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 370 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 91

Nays: Eck, Harris, Hill, Mehlhoff, O'Neil, B. Smith, Welborn, Whitford.
Total 8

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Knudsen.
Total 1

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SJR 14 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 70

Nays: Ballance, J. Bennett, Brodehl, Doane, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Harris, Jones, Kerns, Knudsen, Laszloffy, McNiven, Osmundson, Peppers, Price, Randall, Redfield, Regier, Reichner, C. Smith, Squires, Vance, Wagoner, Welborn, White, Zolnikov.

Total 30

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 15 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 81

Nays: Berry, Boss Ribs, Brockie, Cook, Court, Eck, Halvorson, Harris, Howard, Kerns, MacDonald, Neill, Pease-Lopez, Peppers, Pomnichowski, Salomon, Vance, Wagoner, Welborn.

Total 19

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 20 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 74

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Galt, Glimm, Halvorson, Hansen, Harris, Ingraham, Kerns, Knudsen, Lang, Laszloffy, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, B. Smith, Vance, Wagoner, Welborn, White.

Total 26

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SJR 22 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 82

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Nays: Ballance, Brodehl, Cuffe, Doane, Fitzpatrick, Galt, Halvorson, Harris, Jones, Kerns, Knudsen, Osmundson, Redfield, Schwaderer, C. Smith, Vance, Welborn, White.
Total 18

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 23 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 69

Nays: Ballance, J. Bennett, Brodehl, Clark, Cuffe, Doane, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Harris, Howard, Jones, Kerns, Knudsen, Lang, Laszloffy, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Welborn, White, Zolnikov.
Total 31

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 24 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Warburton, Washburn, Whitford, Williams, Wilmer, Wilson, Woods,
Zolnikov.
Total 71

Nays: Ballance, J. Bennett, Brodehl, Doane, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen,
Harris, Jones, Kerns, Knudsen, Lang, Lenz, O'Neil, Osmundson, Pomnichowski, Randall,
Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Welborn, White, Mr. Speaker.
Total 29

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance announced the Republicans would caucus.
Minority Leader Hunter announced the Democrats would caucus, as well.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Knudsen in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 5 - Representative Vance moved consideration of **HB 5** be passed for the day. Motion Carried.

HB 2 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 2** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams,

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Wilmer, Wilson, Woods, Mr. Speaker.

Total 63

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 37

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 3 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 3** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 66

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, McNiven, Miller, O'Neil, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 34

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 6 - Senate Amendments - Representative Cook moved Senate amendments to **HB 6** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Brodehl, Fiscus, Flynn, Galt, Glimm, Halvorson, Harris, Howard, Jones, Kary, Kerns, Laszloffy, McNiven, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.

Total 28

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 10 - Senate Amendments - Representative Pomnichowski moved Senate amendments to **HB 10** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 61

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Welborn, White, Zolnikov.

Total 39

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 11 - Senate Amendments - Representative Gibson moved Senate amendments to **HB 11** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Glimm, Halvorson, Welborn, Zolnikov.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 12 - Senate Amendments - Representative Pease-Lopez moved Senate amendments to **HB 12** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 82

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Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Glimm, Halvorson, Harris, Howard, Kerns, Miller, O'Neil, Randall, Schwaderer, White, Zolnikov.
Total 18

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Knudsen moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 94

Nays: Glimm, McNiven, Randall, Regier, Warburton.
Total 5

Excused: None.
Total 0

Absent or not voting: Zolnikov.
Total 1

SPECIAL ORDERS OF THE DAY

Representative Connell introduced the members of the Darby High School Tigers Drumline. The students performed two pieces and were awarded Honorary Membership to the Montana House of Representatives.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 10:00 a.m., Friday, April 19, 2013.
Motion carried.

House adjourned at 2:50 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-THIRD LEGISLATIVE DAY**

Helena, Montana
April 19, 2013

House Chambers
State Capitol

House convened at 10:00 a.m. Mr. Speaker presiding. Invocation by Representative Fiscus.
Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/19/2013

Correctly printed: **HB 623, SB 380, SB 394, SJR 26.**

Correctly engrossed: **SJR 26.**

Correctly enrolled: **HB2, HB 6, HB 354, HB 509, HB 521, HB 535, HB 556, HB 580, HB 586, HB 588, HB 591, HB 614, HB 626.**

Examined by the sponsor and found to be correct: **HB 354, HB 363, HB 403, HB 478, HB 499, HB 524, HB 535, HB 556, HB 580, HB 582, HB 583, HB 588, HB 591, HB 614, HB 626.**

Signed by the Speaker at 4:25 p.m., April 19, 2013: **HB 363, HB 403, HB 477.**

Signed by the Speaker at 4:30 p.m., April 19, 2013: **HB 478, HB 494, HB 499, HB 582, HB 583.**

Signed by the Speaker at 4:35 p.m., April 19, 2013: **HB 556, HB 614.**

Signed by the Speaker at 4:40 p.m., April 19, 2013: **HB 588, HB 591, HB 626.**

Signed by the Speaker at 4:50 p.m., April 19, 2013: **HB 354, HB 524, HB 580.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 19, 2013: **HB 354, HB 363, HB 403, HB 477, HB 478, HB 494, HB 499, HB 524, HB 556, HB 580, HB 582, HB 583, HB 588, HB 591, HB 614, HB 626.**

REPORTS OF STANDING COMMITTEES

FISH, WILDLIFE AND PARKS (Welborn, Chair):

4/18/2013

SB 380, be concurred in. Report adopted.

TAXATION (Miller, Chair):

4/19/2013

SB 394, be concurred in. Report adopted.

TRANSPORTATION (Lavin, Chair):

4/19/2013

SJR 26, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **House Bill 297**

Report No. 001, April 18, 2013

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Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 297** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 297** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 13.

Following: "AUTHORITY;"

Insert: "AMENDING SECTION 1-1-411, MCA;"

2. Page 6, following line 3.

Insert: "**Section 8.** Section 1-1-411, MCA, is amended to read:

"1-1-411. Certain state services denied to ~~illegal~~ unauthorized aliens. (1) To the extent allowed by federal law and the Montana constitution and notwithstanding any other state law, a state agency may not provide a state service to an ~~illegal~~ unauthorized alien and shall comply with the requirements of this section.

(2) To determine whether an applicant for a state service is an ~~illegal~~ unauthorized alien, the agency may use the systematic alien verification for entitlements program provided by the United States department of homeland security or any other lawful method of making the determination.

(3) A state agency shall notify appropriate personnel in immigration and customs enforcement under the United States department of homeland security or its successor of any ~~illegal~~ unauthorized alien applying for a state service.

(4) An agency shall require a person seeking a state service to provide proof of United States citizenship or legal alien status.

(5) A state agency shall execute any written agreement required by federal law to implement this section.

(6) As used in this section, the following definitions apply:

(a) "Agency" means a department, board, commission, committee, authority, or office of the legislative or executive branches of state government, including a unit of the Montana university system.

(b) ~~"Illegal~~ "Unauthorized alien" means an individual who is not a citizen of the United States and who ~~has unlawfully entered or remains unlawfully in the United States~~ is not a "qualified alien" pursuant to 8 U.S.C. 1641.

(c) "State service" means a payment of money, the grant of a state license or permit, or the provision of another valuable item or service under any of the following programs and provisions of law:

(i) employment with a state agency;

(ii) qualification as a student in the university system for the purposes of a public education, as provided in 20-25-502;

(iii) student financial assistance, as provided in Title 20, chapter 26;

(iv) issuance of a state license or permit to practice a trade or profession, as provided in Title 37;

(v) unemployment insurance benefits, as provided in Title 39, chapter 51;

(vi) vocational rehabilitation, as provided in Title 53, chapter 7;

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- (vii) services for victims of crime, as provided in Title 53, chapter 9;
- (viii) services for the physically disabled, as provided in Title 53, chapter 19, parts 3 and 4;
- (ix) a grant, as provided in Title 90."

Renumber: subsequent sections

For the Senate:

Sonju, Chair
D. Brown
Vuckovich

For the House:

Howard, Vice Chair
Eck
Lenz

FREE CONFERENCE COMMITTEE
on **House Bill 345**
Report No. 001, April 18, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 345** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 345** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 8.

Following: ";

Insert: "PROVIDING A REPORTING REQUIREMENT;"

2. Page 2, line 21.

Strike: "\$6,000"

Insert: "\$5,500"

3. Page 2, line 22.

Strike: "\$12,000"

Insert: "\$11,000"

4. Page 3, line 19.

Strike: "\$6,000"

Insert: "\$5,500"

Strike: "\$12,000"

Insert: "\$11,000"

5. Page 5

Following: line 11

Insert: "(8) The amount of the civil penalty set forth in subsections (1) and (2) must be adjusted for inflation in a manner consistent with the Federal Civil Penalties Inflation Adjustment Act of 1990, Public Law 101-410."

Renumber: subsequent subsection

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6. Page 9, line 2.

Following: line 2

"NEW SECTION. Section 7. Reporting. Beginning February 15, 2014, and by February 15 of each year, the attorney general shall submit to the law and justice interim committee a report containing the following information:

(1) the number of cases filed under the Montana False Claims Act, Title 17, chapter 8, part 4, that were pending in the state during the previous calendar year;

(2) the number of cases filed under the Montana False Claims Act that were settled during the previous calendar year;

(3) the number of cases filed under the Montana False Claims Act in which judgment was entered during the previous calendar year;

(4) the total proceeds paid to the state and the total proceeds paid to the qui tam plaintiffs in cases filed under the Montana False Claims Act during the previous calendar year; and

(5) the number of qui tam cases pending in other jurisdictions involving the state in the previous calendar year."

Renumber: subsequent sections

For the Senate:

Wittich, Chair
Fielder
Jent

For the House:

C. Smith, Vice Chair
Fitzpatrick
Steenberg

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House:

4/18/2013

HB 509, introduced by Regier

HB 521, introduced by G. Bennett

HB 535, introduced by G. Bennett

HB 556, introduced by Cuffe

HB 588, introduced by Harris

HB 591, introduced by Osmundson

HB 614, introduced by Berry

HB 626, introduced by Osmundson

House bills concurred in as amended and returned to the House for concurrence in Senate amendments:

4/18/2013

HB 19, introduced by Hollandsworth

HB 39, introduced by McChesney

HB 76, introduced by Pease-Lopez

This amended bill is being returned after the deadline for General Bills.

Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

HB 129, introduced by Gibson

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HB 218, introduced by Ankney

HB 298, introduced by Warburton

This amended bill is being returned after the deadline for Appropriation Bills.

Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

HB 377, introduced by Woods

HB 408, introduced by Miller

HB 414, introduced by Hoven

HB 454, introduced by McChesney

HB 559, introduced by Bangerter

HB 593, introduced by Wagoner

HB 603, introduced by Zolnikov

HB 607, introduced by Lavin

HB 623, introduced by Bangerter

House bills not concurred in and returned to the House:

4/18/2013

HB 423, introduced by C. Smith

HB 574, introduced by Edmunds

Failed required vote of "2/3 of Each House"

HB 619, introduced by Warburton

Failed required vote of "2/3 of Entire Legislature"

HB 631, introduced by Fitzpatrick

Failed required vote of "2/3 of Entire Legislature"

House amendments to Senate bills concurred in:

4/18/2013

SB 162, introduced by Keane

SB 196, introduced by Rosendale

SB 217, introduced by Hamlett

House amendments to Senate bills not concurred in:

4/18/2013

SB 96, introduced by Tutvedt

SB 282, introduced by Tutvedt

SB 342, introduced by Windy Boy

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/19/2013

SB 45, introduced by Keane

HB 97 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 97**:

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4/18/2013

Senator Sales, Chair
Senator Jent
Senator Vincent

HB 120 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 120**:

4/18/2013

Senator Wittich, Chair
Senator Boulanger
Senator Driscoll

HB 133 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 133**:

4/18/2013

Senator D. Brown, Chair
Senator Facey
Senator F. Moore

HB 240 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 240**:

4/18/2013

Senator F. Moore, Chair
Senator Fielder
Senator Larsen

HB 277 - The Senate acceded to the request of the House and authorized the President to appoint the following Conference Committee to meet with a like committee from the House to confer on Senate amendments to **HB 277**:

4/18/2013

Senator Sales, Chair
Senator Hamlett
Senator Webb

HB 345 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 345**:

4/18/2013

Senator Wittich, Chair
Senator Fielder
Senator Jent

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SB 96 - The Senate failed to concur in House amendments to **SB 96**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 96**:

4/19/2013

Senator Tutvedt, Chair
Senator Phillips
Senator Thomas

SB 282 - The Senate failed to concur in House amendments to **SB 282**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 282**:

4/19/2013

Senator Thomas, Chair
Senator Phillips
Senator Tutvedt

SB 305 - The Senate failed to concur in House amendments to **SB 305**, authorized the President to appoint the following Conference Committee, and requested that the House appoint a like committee to confer on House amendments to **SB 305**:

4/18/2013

Senator Peterson, Chair
Senator F. Moore
Senator Van Dyk

SB 342 - The Senate failed to concur in House amendments to **SB 342**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 342**:

4/19/2013

Senator Lewis, Chair
Senator Arntzen
Senator Windy Boy

On a **Point of Order** Minority Leader Hunter rose to enquire if **HB 623** had been moved directly to committee and why.

The Speaker said that he had sent **HB 623** to committee and stated Rules H 40-50 and H 40-220 which gave him the authority to do so.

Minority Leader Hunter moved to appeal the ruling of the Presiding Officer on **HB 623**.

Motion **failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller,

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Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 50

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Voted Absentee: None

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MESSAGES FROM THE GOVERNOR

April 18, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Thursday, April 18, I signed and delivered the following House bills to the Secretary of State:

House Bill 182 - Ballance

House Bill 488 - Gursky

Sincerely,

STEVE BULLOCK
Governor

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Fitzpatrick in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 4 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 4** be concurred in. Motion carried as follows:

Yeas: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 62

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Howard, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Wagoner, White, Zolnikov.

Total 34

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Ankney, Knudsen, O'Hara, Mr. Speaker.

Total 4

HB 5 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 5** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires,

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Steenberg, Swanson, Vance, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 72

Nays: Ballance, J. Bennett, Brodehl, Doane, Fiscus, Flynn, Galt, Glimm, Halvorson, Harris, Howard, Kerns, Knudsen, Lavin, Lenz, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Wagoner, White, Zolnikov.
Total 27

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Reichner.
Total 1

Representative Greef rose with a **question of procedure**, he asked what happens to an amended bill if the members of the House wished to segregate portions of it. The Chair explained that if the majority disagreed with the amendments to a bill that bill would go to a conference committee.

HB 13 - Senate Amendments - Representative Swanson moved Senate amendments to **HB 13** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Edmunds, Howard, Randall.
Total 3

Voted Absentee: None.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

HB 100 - Conference Committee Report No. 1 - Representative Ehli moved the Conference Committee report to **HB 100** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Eck, Gursky, Harris, Hill, Hunter, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184 - Conference Committee Report No. 1 - Representative Fiscus moved the Conference Committee report to **HB 184** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski,

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Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 473 - Conference Committee Report No. 1 - Representative Reichner moved the Conference Committee report to **HB 473** be adopted. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, Zolnikov, Mr. Speaker.

Total 55

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Edmunds, Gursky, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 497 - Conference Committee Report No. 1 - Representative White moved the Conference Committee report to **HB 497** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns,

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Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.
Total 91

Nays: B. Bennett, Dudik, Edmunds, Gursky, McChesney, McNiven, Peppers, Wilson, Woods.
Total 9

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 625 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 625** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 90

Nays: Doane, Edmunds, Fiscus, Harris, Howard, Kary, Kerns, Lang, McNiven, Randall.
Total 10

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HJR 31 - Representative Lieser moved **HJR 31** be adopted. Motion **failed** as follows:

Yeas: Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Curtis, Dudik, Eck, Gursky, Hertz, Hill, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 45

Nays: Ankney, Ballance, J. Bennett, Berry, Blyton, Brodehl, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 55

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198 - Conference Committee Report No. 1 - Representative Laszloffy moved the Conference Committee report to **SB 198** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Brodehl, Coffin, Kerns, Warburton, Welborn.

Total 5

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 223 - Conference Committee Report No. 1 - Representative Squires moved the Conference Committee report to **SB 223** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Hansen, Harris, McNiven, Osmundson, Warburton.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Fitzpatrick moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner,

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Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 90

Nays: Gursky, Lieser, McCarthy, Noonan, Pease-Lopez, Pomnichowski, Whitford, Williams.

Total 8

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Knudsen, Shaw.

Total 2

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 41

Excused: None.

Total 0

Voted Absentee: None.

Absent or not voting: None.

Total 0

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HB 3 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Knudsen, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 62

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 38

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 6 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 75

Nays: Ballance, J. Bennett, Blyton, Brodehl, Edmunds, Fiscus, Galt, Glimm, Harris, Hertz, Howard, Kary, Kerns, Laszloffy, McNiven, O'Neil, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Vance, White, Zolnikov.

Total 25

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 10 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 59

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 11 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

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Nays: Brodehl, Edmunds, Glimm, Harris, Jones, Kerns, O'Neil, C. Smith, Vance.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 12 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 79

Nays: Ballance, J. Bennett, Brodehl, Cook, Doane, Edmunds, Fitzpatrick, Galt, Glimm, Halvorson, Harris, Howard, Kerns, Miller, O'Neil, Randall, Regier, Vance, Washburn, Welborn, White.

Total 21

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 206, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Fitzpatrick, Harris, Kerns, O'Neil.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 301, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Edmunds, Fitzpatrick, Kerns, Lynch, O'Neil, Schwaderer, Welborn.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 354 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 86

Nays: Ballance, J. Bennett, Court, Doane, Edmunds, Galt, Hansen, Harris, Kary, Kerns, Randall, Schwaderer, C. Smith, Zolnikov.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 395, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

HB 444 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Wilson, Woods, Mr. Speaker.

Total 84

Nays: J. Bennett, Brodehl, Galt, Glimm, Hansen, Harris, Hollandsworth, Jones, Kary, Kerns, McNiven, Randall, Redfield, C. Smith, Williams, Zolnikov.

Total 16

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 447 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 87

Nays: J. Bennett, Brodehl, Flynn, Hagstrom, Hansen, Harris, Howard, Kary, Kerns, Lang, Redfield, Schwaderer, Zolnikov.

Total 13

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 545 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

Nays: Brockie, Brodehl, Coffin, Eck, Gursky, Pease-Lopez, Peppers.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 580 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Gibson, Glimm, Greef, Gursky, Hagan, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

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Nays: J. Bennett, Edmunds, Flynn, Galt, Hagstrom, Halvorson, Harris, Howard, Kary, Kerns, Knudsen, Lavin, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Zolnikov.

Total 23

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Miller.

Total 1

HB 586 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

Nays: J. Bennett, Doane, Galt, Kerns, McNiven, Osmundson, Peppers, Randall, Redfield, White, Zolnikov.

Total 11

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: C. Smith.

Total 1

HB 604 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance,

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Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 609 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 78

Nays: Ballance, J. Bennett, Glimm, Hagstrom, Halvorson, Hansen, Harris, Jones, Kerns, Knudsen, Lang, Laszloffy, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Schwaderer, C. Smith, Vance, Zolnikov.

Total 22

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 101, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Knudsen, Lang, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 73

Nays: Ballance, J. Bennett, Brodehl, Cuffe, Doane, Glimm, Halvorson, Harris, Ingraham, Kary, Kerns, Laszloffy, Lenz, McNiven, Moore, O'Neil, Osmundson, Randall, Redfield, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.
Total 27

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Majority Leader Vance moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 96**. Motion Carried. Speaker Blasdel appointed:
4/19/2013
Representative G. Bennett
Representative Lavin
Representative McClafferty

Majority Leader Vance moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 282**. Motion Carried. Speaker Blasdel appointed:
4/19/2013
Representative Osmundson, Vice Chair
Representative Coffin
Representative Hansen

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Majority Leader Vance moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 305**. Motion Carried. Speaker Blasdel appointed:

4/19/2013

Representative Randall
Representative Lang
Representative Pease-Lopez

Majority Leader Vance moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 342**. Motion Carried. Speaker Blasdel appointed:

4/19/2013

Representative Hollandsworth, Vice Chair
Representative Brockie
Representative Salomon

HB 76 was transmitted to the House after the deadline for General Bills. As per Joint Rule 40-200, Majority Leader Vance moved **HB 76** be received into the House for Consideration.

Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ballance, Brodehl, Glimm, Hagstrom, McNiven, Miller, O'Neil, Regier.

Total 8

Voted Absentee: None.

HB 298 was transmitted to the House after the deadline for General Bills. As per Joint Rule 40-200, Majority Leader Vance moved **HB 298** be received into the House for Consideration.

Motion **failed** as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield,

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Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 55

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Fiscus, Gursky, Hagstrom, Hill, Hollenbaugh, Hunter, Jacobson, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 45

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Minority Leader Hunter moved to appeal the ruling of the Presiding Officer on **HB 623**.

Motion **failed** as follows:

Yeas: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 48

Nays: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 52

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the House will Recess until 1:30 p.m. Motion carried.

House in Recess.

House Reconvened.

Roll Call. All members present. Quorum present.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **House Bill 97**

Report No. 001, April 19, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 97** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 97** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 10 through line 13.

Strike: "PROVIDING" on line 10 through "SYSTEMS;" on line 13

2. Page 9, line 7 through line 8.

Strike: "(VI)" through "125;"

Renumber: subsequent subsection

3. Page 10, line 11 through line 12.

Strike: subsection (B) in its entirety

Renumber: subsequent subsection

4. Page 11, line 2 through line 3.

Strike: "(II)" on line 2 through "125;" on line 3

Renumber: subsequent subsection

5. Page 12, line 3 through line 4.

Strike: "(II)" on line 3 through "125;" on line 4

Renumber: subsequent subsection

6. Page 13, line 10 through line 11.

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Strike: "(II)" on line 10 through "125;" on line 11

Renumber: subsequent subsection

7. Page 14, line 17 through line 18.

Strike: "(III)" on line 17 through "125;" on line 18

Renumber: subsequent subsection

8. Page 16, line 7 through line 8.

Strike: "(III)" on line 7 through "125;" on line 8

Renumber: subsequent subsection

For the Senate:

Sales, Chair

Jent

Vincent

For the House:

Wilmer, Vice Chair

Blyton

Lenz

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 277**
Report No. 001, April 19, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 277** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 277** (reference copy -- salmon) be amended as follows:

1. Page 1, line 25.

Following: "period"

Insert: "in any 24-year period"

2. Page 1, line 26.

Following: "both"

Insert: ", whether as a state representative or as a state senator, or both"

For the Senate:

Sales, Chair

Hamlett

Webb

For the House:

McChesney, Vice Chair

Greef

Hansen

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CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 256**
Report No. 001, April 19, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 256** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 256** (reference copy -- salmon) be amended as follows:

1. Page 3, line 19.

Strike: "ENTERING"

Insert: "migrating into"

2. Page 6, line 7.

Strike: "ENTERING"

Insert: "migrating into"

For the Senate:

F. Moore, Chair
Hamlett
Sales

For the House:

Randall, Vice Chair
Peppers
Redfield

Minority Leader Hunter announced the Democrats would caucus.

Majority Leader Vance announced the Republicans would stand at ease.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative MacDonald in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 19 - Senate Amendments - Representative Hollandsworth moved Senate amendments to **HB 19** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy,

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Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 87

Nays: Ballance, Brodehl, Cuffe, Doane, Edmunds, Glimm, Harris, Jones, Kerns, O'Neil, Redfield, Regier, C. Smith.
Total 13

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 39 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 39** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 61

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Lang, Laszloffy, Lenz, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Warburton, White, Zolnikov.
Total 38

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: McNiven.
Total 1

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HB 218 - Senate Amendments - Representative Ankney moved Senate amendments to **HB 218** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ballance, Doane, Edmunds, Halvorson, Kerns, Regier, Warburton, White.

Total 8

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 297 - Free Conference Committee Report No. 1 - Representative Howard moved the Free Conference Committee report to **HB 297** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 345 - Free Conference Committee Report No. 1 - Representative C. Smith moved the Free Conference Committee report to **HB 345** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Bennett, Coffin, Gursky, Pease-Lopez, Squires.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 377 - Senate Amendments - Representative Woods moved Senate amendments to **HB 377** be concurred in. Motion **failed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Nays: Ballance, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller,

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Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 50

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 385 - Governor's Amendments - Representative Lavin moved Governor's amendments to **HB 385** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 83

Nays: J. Bennett, Edmunds, Galt, Glimm, Hansen, Jones, Kerns, Lavin, Mehlhoff, Randall, Redfield, Regier, Schwaderer, C. Smith, Warburton, White, Zolnikov.
Total 17

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 408 - Senate Amendments - Representative Miller moved Senate amendments to **HB 408** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard,

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Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: B. Smith.
Total 1

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: O'Hara.
Total 1

HB 414 - Senate Amendments - Representative Hoven moved Senate amendments to **HB 414** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: O'Neil, Randall, B. Smith.
Total 3

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Lang.
Total 1

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HB 454 - Representative Regier moved consideration of **HB 454** be passed for the day. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 47

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 559 - Senate Amendments - Representative Bangerter moved Senate amendments to **HB 559** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: J. Bennett, Edmunds, Galt, Kary, Kerns, McNiven, O'Neil, Randall.

Total 8

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: Shaw.

Total 1

HB 593 - Senate Amendments - Representative Wagoner moved Senate amendments to **HB 593** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: None.

Total 0

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Edmunds.

Total 1

HB 603 - Senate Amendments - Representative Zolnikov moved Senate amendments to **HB 603** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires,

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Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Howard, Lavin, Moore, Peppers, Salomon, Welborn.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 607 - Senate Amendments - Representative Lavin moved Senate amendments to **HB 607** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Harris, Kerns, Miller, B. Smith, Zolnikov.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 45 - Governor's Amendments - Representative Fitzpatrick moved Governor's amendments to **SB 45** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 96

Nays: Ballance, Edmunds, Glimm, Knudsen.
Total 4

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 380 - Representative Kary moved **SB 380** be concurred in.

Representative Flynn rose on a **Point of Personal Privilege** to express a conflict of interest and that he would be abstaining from voting on **SB 380**.

SB 380 - Representative Kary moved **SB 380** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 52

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill,

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Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 47

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Flynn.
Total 1

SB 394 - Representative Schwaderer moved **SB 394** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 54

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 44

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Flynn, Hansen.
Total 2

SJR 26 - Representative Lavin moved **SJR 26** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty,

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McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 86

Nays: J. Bennett, Brodehl, Cuffe, Doane, Glimm, Halvorson, Kerns, McNiven, O'Neil, Redfield, Vance, Wagoner, Mr. Speaker.

Total 13

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Kary.

Total 1

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair MacDonald moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 68

Nays: B. Bennett, Boland, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Wilson, Woods.

Total 30

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Jones, MacDonald.

Total 2

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MOTIONS

Majority Leader Vance moved **SB 394** be moved from the Committee of the Whole to the Appropriations committee.

Majority Leader Vance moved to appoint a **Free** Conference Committee on **HB 218** and request the Senate to appoint a like committee. Motion Carried. Speaker Blasdel appointed:

4/19/2013

Representative Ankney, Vice Chair
Representative Cuffe
Representative McChesney

SPECIAL ORDERS OF THE DAY

Representative McChesney thanked the pages for their service.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 8:00 a.m., Saturday, April 20, 2013. Motion carried.

House adjourned at 3:25 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-FOURTH LEGISLATIVE DAY**

Helena, Montana
April 20, 2013

House Chambers
State Capitol

House convened at 8:00 a.m. Mr. Speaker presiding. Invocation by Representative Cary Smith. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/20/2013

Correctly printed: **HB 377**.

Examined by the sponsor and found to be correct: **HB 6, HB 509, HB 521, HB 586**.

Transmitted to the Senate: **SJR 26**.

Signed by the Speaker at 11:00 a.m., April 22, 2013: **HB 521, HB 586**.

Signed by the Speaker at 2:30 p.m., April 24, 2013: **HB 6**.

Signed by the Chief Clerk of the House at 12:00 p.m., April 22, 2013: **HB 586**.

Signed by the Chief Clerk of the House at 12:30 p.m., April 22, 2013: **HB 521**.

Signed by the Chief Clerk of the House at 3:30 p.m., April 24, 2013: **HB 6**.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 133**
Report No. 001, April 20, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 133** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **House Bill 133** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 23.

Following: "~~INSPECTOR;~~"

Insert: "REVISING QUALIFICATIONS FOR A CRANE INSPECTOR;"

2. Title, page 1, line 30.

Strike: "AND"

Following: "~~50-76-110;~~"

Insert: "AND 50-76-110,"

3. Page 2, line 28.

Strike: "three"

Insert: "two"

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4. Page 3.

Following: line 2

Insert: "(b) one member who possesses a current audiologist license issued under Title 37, chapter 15, and has a master's level college degree;"

Renumber: subsequent subsections

5. Page 58.

Following: line 4

Insert: "**Section 55.** Section 50-76-110, MCA, is amended to read:

"50-76-110. Crane inspector -- qualifications -- inspections. (1) The department shall employ at least one crane inspector. A crane inspector must have a minimum of 3 years of experience ~~as a licensed third-class crane and hoist engineer operating cranes and must have been licensed for at least 1 year as a first-class crane and hoist engineer.~~

(2) The department may adopt by rule applicable operating and safety standards established by the American national standards institute.

(3) A crane inspector may require that a crane, hoist, or other equipment subject to this chapter that is not being operated in compliance with an operating or safety standard adopted by rule pursuant to subsection (2) be declared to be out of service and that the crane, hoist, or other equipment not be operated until the noncompliance is cured."

Renumber: subsequent sections

For the Senate:

D. Brown, Chair
Facey
F. Moore

For the House:

Berry, Vice Chair
Boland
Lang

FREE CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 342**
Report No. 001, April 19, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered House amendments to **Senate Bill 342** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 342** (reference copy -- salmon) be amended as follows:

1. Page 2, line 14 through line 28.

Strike: subsections (3) and (4) in their entirety

Renumber: subsequent subsections

2. Page 3, line 5.

Strike: "(8)"

Insert: "(6)"

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3. Page 3, line 9 through line 10.

Strike: "attainment" on line 9 through "and" on line 10

4. Page 3, line 10.

Following: "progress"

Insert: ", and other criteria determined by the state-tribal economic development commission pursuant to subsection (2)(a)"

5. Page 4, following line 14.

Insert: "COORDINATION SECTION. Section 5. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved and if House Bill No. 2 contains an appropriation for native language preservation, then [section 2 of this act] is void."

Renumber: subsequent sections

For the Senate:

Lewis, Chair
Arntzen
Windy Boy

For the House:

Hollandsworth, Vice Chair
Brockie
Salomon

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/20/2013

HB 48, introduced by McChesney

HB 417, introduced by Flynn

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/20/2013

HB 74, introduced by MacDonald.

House bill not concurred in and returned to the House:

4/20/2013

HB 599, introduced by Blyton

Senate bill passed and transmitted to the House for concurrence:

4/20/2013

SB 410, introduced by Ripley

This bill is being transmitted after the deadline for Appropriation Bills.

Joint Rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

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House amendments to Senate bills concurred in:

4/20/2013

SB 175, introduced by L. Jones
SB 264, introduced by Arntzen
SB 265, introduced by Jackson
SB 280, introduced by Thomas
SB 347, introduced by Vincent
SB 369, introduced by Facey
SB 392, introduced by Kaufmann
SB 405, introduced by Olson
SB 408, introduced by Olson

Governor's amendments to Senate bill concurred in and transmitted to the House for concurrence in the Governor's amendments:

4/20/2013

SB 45, introduced by Keane

SJR 18 - The Senate dissolved the Conference Committee on House amendments to **SJR 18**, and authorized the President to appoint a **Free** Conference Committee to confer on **SJR 18** and requests the House to appoint a like committee. The President appointed the following members:

4/19/2013

Senator Thomas, Chair
Senator Dick Barrett
Senator Rosendale

HB 120 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 120**:

4/19/2013

Senator Wittich, Chair
Senator Boulanger
Senator Malek

MESSAGES FROM THE GOVERNOR

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

STATE INTERNET/BBS COPY

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On Friday, April 19, I signed and delivered the following House bills to the Secretary of State:

House Bill 146 - Hansen
House Bill 256 - Hoven
House Bill 459 - Kerns

I am returning House Bill 225 - C. Smith, House Bill 274 - Greef and House Bill 359 -Fitzpatrick with amendments.

I have vetoed House Bill 281 - C. Smith.

Sincerely,

STEVE BULLOCK
Governor

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 225 (HB 225), "AN ACT REVISING THE INTEREST THAT MAYBE A WARDED ON CIVIL JUDGMENTS; AMENDING SECTIONS 25-9-205 AND 27-1-210, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

Montana law establishes interest on judgments in civil cases at 10 percent, subject to exceptions for contractually-based interest rates. HB 225 seeks to treat judgments in actions for recovery on an injury (to person or to property) differently from other civil judgments. There is no justifiable reason for the differential treatment. My amendments correct this inequitable aspect of HB 225.

HB 225 also converts the current specified interest rate to a rate that would fluctuate based on the prime rate published by the Federal Reserve System. In its current form, HB 225 would create an interest rate that would be at or near the lowest rate in the country, to the disadvantage of Montana individuals and businesses, and to the advantage of judgment debtors. My amendments establish a reasonable adjustment to the prime rate, while still allowing the interest rate to fluctuate as intended by HB 225.

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I respectfully request that the Legislature concur with my amendments.

Sincerely,

STEVE BULLOCK
Governor

Amendments to House Bill No. 225 Reference Copy
Requested by the Governor
For the House Committee of the Whole
Prepared by Susan Byorth Fox April 17, 2013 (2:12pm)

1. Page 1, line 13 through line 15.

Strike: "subsections (2) and (3)" on line 13 through "year" on line 15

Insert: "subsection (2), a prevailing claimant is entitled to interest at a rate equal to the rate for bank prime loans published by the federal reserve system in its statistical release H.15 Selected Interest Rates or in any publication that may supersede it on the day judgment is entered, plus 4%"

2. Page 1, line 18 through line 20.

Strike: line 18 through line 20 in their entirety

3. Page 1, line 26.

Strike: "2%"

Insert: "4 % "

-END-

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 274 (HB 274), "AN ACT REVISING LA WS RELATED TO THE LICENSING OF OUTFITTERS AND GUIDES; ELIMINATING THE PROFESSIONAL GUIDE LICENSE; REVISING POWERS AND DUTIES OF THE BOARD OF OUTFITTERS; REVISING REPORTING REQUIREMENTS; REVISING QUALIFICATIONS AND APPLICATION AND EXAM REQUIREMENTS; CLARIFYING THE LIMIT ON ONE LICENSE PER INDIVIDUAL; REVISING PENALTIES; REVISING RULEMAKING AUTHORITY; AMENDING SECTIONS 7-47-101,37-47-201,37-47-301,37-47-302,37-47-303, 37-47-304,37-47-305,37-47-306,37-47-307, 37-47-310, 37-47-311, 37-47-341, 37-47-343,

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37-47401,37-47-402,37-47-403,37-47-404, AND 87-6-702, MCA; AND REPEALING SECTIONS 3747-103,37-47-316, AND 37-47-318, MCA."

HB 274 makes extensive changes to Title 47, Chapter 37, regulating the activities of outfitters and guides. The bill reduces several burdensome reporting requirements for outfitters, but it remains problematic.

HB 274 removes the statutory language in section 37-47-201, MCA, that requires the annual reporting of leased acreage for outfitting, and instead makes such reporting discretionary (section 6). This is unacceptable.

The annual reporting of acreages where licensed outfitters operate is important information to the people of Montana. Licensed outfitters provide valuable services to hunters. Their commercial activities depend upon the use of public wildlife resources as regulated by the Montana Fish, Wildlife & Parks (FWP). Accurate, credible data indicating where licensed outfitters operate is essential to helping the public, FWP, and the Montana Board of Outfitters (MBO) in various respects:

First, it allows MBO and FWP to provide high quality data, rather than anecdotal assumptions, when public policy issues arise regarding how both outfitted and non-outfitted hunting may interact to affect game management, season setting, access to public land, public hunting opportunities, and other resources.

Second, it assists FWP in identifying private land that may be enrolled in both the operations plan of a licensed outfitter and the Block Management program, which is typically a violation of a Block Management contract.

Third, this data is critical for the activities of the Private Land/Public Wildlife Council, mandated in section 87-1-269, MCA, in meeting their charge to evaluate the effectiveness of Block Management and other FWP hunting access programs, and to develop recommendations for the Governor and the Legislature regarding issues related to sports persons, landowners, and outfitters. As you know, on March 12, I announced my intent to revitalize this council in order to bring renewed attention to these important issues.

The collection of current, relevant, and credible data regarding acreages where licensed outfitters are authorized to serve clients and conduct business is in the public interest. This public interest outweighs the relatively small burden presented by the annual reporting requirement, and I therefore propose an amendment to retain it.

I respectfully ask for your support of this amendment.

Sincerely,

STEVE BULLOCK
Governor

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Report No. 001, April 17, 2013

Governor's recommendations for amendments to **House Bill 274** (reference copy -- salmon) are as follows:

1. Page 3, line 23.

Following: "GUIDES,"

Strike: "AND"

2. Page 3, line 24.

Following: "RULE"

Insert: ", and private land acreage where licensed outfitters are authorized by the landowner to operate, including exclusive arrangements and lease agreements"

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 281 (HB 281), "AN ACT CHANGING THE STATUTE OF LIMITATIONS FOR MEDICAL MALPRACTICE CLAIMS FROM 3 YEARS TO 2 YEARS; AMENDING SECTION 27-2-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HB 281 would create a shorter statute of limitations for medical negligence cases than other types of negligence actions. The statute of limitations for routine negligence cases is three years. HB 281 would reduce it to two years for medical negligence cases. Medical injury cases are complex -it can take years for the full extent of health consequences from an injury to materialize. Given that the nature of these injuries can have life changing implications for a person's health and financial well-being, reducing the time for investigation and analysis of such claims is not in the best interests of Montanans injured through no fault of their own.

I would also note that HB 281 is simply not necessary. The most recent statistics from the Montana Medical Legal Panel show that the number of medical negligence claims filed in Montana are at their lowest level in nearly 20 years. The number of claims as a percentage of

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health care providers in the state is at an all-time low.

For these reasons, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

April 19, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 359 (HB 359), "AN ACT PROVIDING THAT AN ADMINISTRATIVE OR JUDICIAL ORDER IS ADMISSIBLE IN A CIVIL ACTION REGARDING REMEDIAL ACTIONS RELATED TO HAZARDOUS WASTE FACILITIES; AND AMENDING SECTIONS 75-10-706 AND 75-10-711, MCA."

HB 359 provides that an administrative or judicial order is admissible in a civil action regarding remedial actions related to hazardous waste facilities. The bill arises from litigation over benzene contamination impacting the town of Sunburst. In that case, gasoline leaked from pipes at a nearby refinery operated from 1924 to 1961, contaminating the soil and groundwater. One issue in the case was whether evidence of a remediation order issued many years later by the Department of Environmental Quality (DEQ), and the company's actions relating to that order, should be admissible. The district court held, and the Montana Supreme Court affirmed, that under the facts and circumstances of the case the DEQ order was inadmissible with regard to the question of the company's liability under the common law. The Supreme Court also held that the same evidence was admissible with regard to the question of punitive damages.

HB 359 attempts to create a blanket rule of admissibility for administrative or judicial orders and activity relating to such orders in environmental cases. In my view, the trial judge should continue to have the discretion to decide what evidence comes in, and what evidence stays out, based upon the particular facts and legal action before the court. My amendments make clear that there is no rule favoring admissibility or inadmissibility in such cases -the decision rests with the trial court based on its assessment of whether the evidence is relevant and more probative than prejudicial.

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I respectfully ask for your support of my amendments.

Sincerely,

STEVE BULLOCK
Governor

Amendments to House Bill No. 359
Reference Copy
Requested by the Governor
For the House Committee of the Whole
Prepared by Todd Everts
April 17, 2013 (4:50pm)

1. Title, page 1, line 5.

Strike: "IS"

Insert: "MAY BE"

2. Page 4, line 1.

Following: the second "order"

Strike: "is admissible in any"

Insert: "may be admissible in a"

3. Page 4, line 2.

Following: the second "facility"

Insert: "provided that the reviewing court in its discretion

determines the order to be relevant and more probative than prejudicial"

-END-

FIRST READING AND COMMITMENT OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 410, introduced by Ripley (by request of the Senate Finance and Claims Standing Committee), referred to Appropriations.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hollenbaugh in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 76 - Senate Amendments - Representative Pease-Lopez moved Senate amendments to **HB 76** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Ballance, Brodehl, Edmunds, Kary, Kerns, McNiven, Zolnikov.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 97 - Free Conference Committee Report No. 1 - Representative Wilmer moved the Free Conference Committee report to **HB 76** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 88

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Nays: J. Bennett, Brodehl, Doane, Edmunds, Harris, Kary, Kerns, Regier, Schwaderer, C. Smith, Steenberg, Zolnikov.
Total 12

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277 - Conference Committee Report No. 1 - Representative McChesney moved the Conference Committee report to **HB 277** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.
Total 88

Nays: Brodehl, Fiscus, Fitzpatrick, Harris, Hertz, Hoven, Kary, Kerns, O'Neil, Woods, Zolnikov.
Total 11

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Gibson.
Total 1

HB 454 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 454** be concurred in.

HB 454 - Representative Miller moved for cloture **HB 454**. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris,

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Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: B. Bennett, Fitzpatrick, Noonan.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Connell, Squires.

Total 2

HB 454 - Senate Amendments - Representative McChesney moved Senate amendments to **HB 454** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 55

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 45

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 256 - Conference Committee Report No. 1 - Representative Redfield moved the Conference Committee report to **SB 256** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McChesney, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 81

Nays: B. Bennett, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Hertz, Hill, Lieser, Lynch, MacDonald, McClafferty, McNally, Noonan, Schreiner, Steenberg, Whitford, Wilmer.
Total 19

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hollenbaugh moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 95

Nays: Fitzpatrick, Hertz, Miller, Regier, Warburton.
Total 5

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 4 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 64

Nays: Ballance, J. Bennett, Blyton, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, McNiven, Miller, O'Neil, Osmundson, Randall, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, White, Zolnikov.

Total 35

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

HB 5 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Lang, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson,

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Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Galt, Glimm, Halvorson, Harris, Howard, Kerns, Knudsen, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Schwaderer, Vance, Wagoner, White.

Total 27

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

HB 13 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Gursky, Hagan, Hagstrom, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Laszloffy, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 67

Nays: Ballance, J. Bennett, Brodehl, Doane, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hertz, Howard, Jones, Kary, Kerns, Knudsen, Lang, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 33

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 19 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 83

Nays: Ballance, Brodehl, Cuffe, Doane, Edmunds, Galt, Glimm, Hagstrom, Harris, Kerns, Redfield, Regier, Reichner, C. Smith, Vance, White, Zolnikov.

Total 17

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 39 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 73

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Galt, Glimm, Hansen, Harris, Hertz, Howard, Kary, Kerns, Lang, Laszloffy, Lenz, McNiven, Miller, O'Neil, Regier, Schwaderer, C. Smith, Vance, Warburton, White, Zolnikov.

Total 27

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 100, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Harris, Hill, Hollenbaugh, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 184, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney,

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McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 38

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 297, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, MacDonald, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Lieser, Lynch, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.
Total 37

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 345, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore,

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Neill, Noonan, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Boss Ribs, Pease-Lopez, Whitford.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 385, as amended by the Governor, passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McCarthy, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Wilmer, Mr. Speaker.

Total 73

Nays: B. Bennett, Boland, Coffin, Court, Dudik, Eck, Galt, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Kerns, Lynch, MacDonald, McClafferty, Noonan, Peppers, Pomnichowski, Price, Redfield, Schreiner, Squires, Williams, Wilson, Woods, Zolnikov.

Total 27

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 408 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook,

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Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Hill, Hunter, Jacobson, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Wilson.

Total 28

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 414 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.

Total 90

Nays: Brockie, Eck, Hill, Pease-Lopez, Peppers, Pomnichowski, Squires, Swanson, Whitford, Woods.

Total 10

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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HB 473, Conference Committee Report No. 1, adopted as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 59

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 497, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 69

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hunter, Lynch, MacDonald, McCarthy, McClafferty, McNally, McNiven, Neill, Noonan,

Pease-Lopez, Pomnichowski, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 31

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 559 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Ingraham, Kerns, O'Neil.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Wilmer.

Total 1

HB 593 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

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Nays: None.

Voted Absentee: None.

Total 0

Excused: None.

Total 0

Absent or not voting: Brodehl, Lang, Shaw.

Total 3

HB 603 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 96

Nays: Howard, Lavin, Moore, Peppers.

Total 4

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 607 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price,

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Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 93

Nays: Flynn, Harris, Kerns, Miller, Schwaderer, B. Smith, Zolnikov.

Total 7

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 625 passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 84

Nays: J. Bennett, Doane, Edmunds, Fiscus, Hansen, Harris, Howard, Jones, Kary, Kerns, McNiven, Miller, Schwaderer, C. Smith, Vance, White.

Total 16

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 45, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs,

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Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 95

Nays: Coffin, Edmunds, Peppers, Pomnichowski, Wilson.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 198, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 94

Nays: Berry, Brodehl, Coffin, Kerns, O'Neil, Warburton.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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SB 223, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Nays: Hansen, Harris, Regier.

Total 3

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 380 failed as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Fiscus, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 48

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Gursky, Hagan, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 51

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: Flynn.

Total 1

SJR 26 concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Warburton, Washburn, White, Whitford, Williams, Wilmer, Woods, Zolnikov.

Total 82

Nays: J. Bennett, Brodehl, Cuffe, Doane, Flynn, Glimm, Halvorson, Hansen, Kerns, McNiven, O'Neil, Pomnichowski, Redfield, Vance, Wagoner, Wilson, Mr. Speaker.

Total 17

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Welborn.

Total 1

MOTIONS

Majority Leader Vance moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SJR 18**. Motion Carried. Speaker Blasdel appointed:

4/20/2013

Representative Halvorson

Representative Howard

Representative McCarthy

SB 410 was transmitted to the House after the deadline for Appropriations Bills. As per Joint Rule 40-200, Majority Leader Vance moved the House vote to receive **SB 410** into the Chamber for consideration.

Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli,

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Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 90

Nays: Ballance, Fitzpatrick, Hagstrom, Halvorson, Hansen, Miller, O'Neil, Regier, Schwaderer, Zolnikov.
Total 10

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Woods moved to reconsider action on **HB 377** and that **HB 377** be placed on second reading on Monday, April 22, 2013.

Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 53

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.
Total 47

Voted Absentee: None.

Excused: None.
Total 0

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Absent or not voting: None.

Total 0

Representative Zolnikov moved to change his vote on **HB 13** from Yes to No. Without objection, so ordered.

Representative Harris moved to change his vote on **SB 256** from No to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 4:00 p.m., Monday, April 22, 2013. Motion carried.

House adjourned at 9:10 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-FIFTH LEGISLATIVE DAY**

Helena, Montana
April 22, 2013

House Chambers
State Capitol

House convened at 4:00 p.m. Mr. Speaker presiding. Invocation by Representative Ingraham. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/22/2013

Correctly printed: **SB 81, SB 394, SB 410.**

Correctly enrolled: **HB 3, HB 4, HB 5, HB 10, HB 11, HB 12, HB 13, HB 19, HB 39, HB 48, HB 74, HB 76, HB 205, HB 408, HB 414, HB 417, HB 444, HB 447, HB 454, HB 545, HB 555, HB 559, HB 593, HB 603, HB 604, HB 607, HB 609, HB 625.**

Examined by the sponsor and found to be correct: **HB 2, HB 3, HB 4, HB 5, HB 10, HB 11, HB 12, HB 13, HB 19, HB 39, HB 48, HB 74, HB 408, HB 414, HB 417, HB 444, HB 447, HB 545, HB 559, HB 593, HB 603, HB 604, HB 607, HB 609, HB 625.**

Signed by the Speaker at 11:00 a.m., April 22, 2013: **HB 3, HB 509.**

Signed by the Speaker at 3:45 p.m., April 22, 2013: **HB 74, HB 607.**

Signed by the Speaker at 11:40 a.m., April 24, 2013: **HB 10, HB 13, HB 19, HB 39, HB 48, HB 408, HB 414, HB 444, HB 447, HB 545, HB 559, HB 609.**

Signed by the Speaker at 11:50 a.m., April 24, 2013: **HB 417, HB 593, HB 603, HB 625.**

Signed by the Speaker at 2:30 p.m., April 24, 2013: **HB 2, HB 4, HB 11, HB 12.**

Signed by the Speaker at 4:15 p.m., April 24, 2013: **HB 604.**

Signed by the Chief Clerk of the House at 12:00 p.m., April 22, 2013: **HB 3.**

Signed by the Chief Clerk of the House at 12:30 p.m., April 22, 2013: **HB 509.**

Signed by the Chief Clerk of the House at 4:11 p.m., April 22, 2013: **HB 74, HB 607.**

Signed by the Chief Clerk of the House at 3:30 p.m., April 24, 2013: **HB 2, HB 4, HB 10, HB 11, HB 12, HB 13, HB 19, HB 39, HB 48, HB 408, HB 414, HB 417, HB 444, HB 447, HB 545, HB 559, HB 593, HB 603, HB 604, HB 609, HB 625.**

Signed by the Chief Clerk of the House at 5:00 p.m., April 24, 2013: **HB 604.**

Signed by the President at 10:30 a.m., April 25, 2013: **HB 3, HB 4, HB 74, HB 354, HB 363, HB 403, HB 477, HB 478, HB 494, HB 499, HB 509, HB 521, HB 524, HB 556, HB 580, HB 582, HB 583, HB 586, HB 588, HB 591, HB 607, HB 614, HB 626.**

Signed by the President at 11:00 a.m., April 25, 2013: **HB 5.**

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LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

4/22/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 8:00 a.m., Saturday, April 20, 2013:

Chance Dickman, Miles City
Kassidy Shultz, Boulder
Jessica Riffel, Carter
Charlie McFaddon, Helena
Brandon Hudyma, Helena

and recommend that the following pages of the House be employed as of 4:00 p.m., Monday, April 22, 2013:

Jenna Rhoads, Bozeman
Josiah Laszloffy, Laurel
Meagan Duram, Eureka
Trestin Benson, Eureka
Madeline Scherting, Helena
Logan Stephens, Kalispell

Report Adopted.

REPORTS OF STANDING COMMITTEES

APPROPRIATIONS (Ankney, Chair):

4/22/2013

SB 81, be concurred in. Report adopted.

SB 394, be concurred in. Report adopted.

SB 410, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

CONFERENCE COMMITTEE
on Senate Amendments to **House Bill 431**
Report No. 001, April 20, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered Senate amendments to **House Bill 431** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that Senate amendments to **House Bill 431** (reference copy -- salmon) be accepted by the House.

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For the Senate:

Olson, Chair
Tropila
Walker

For the House:

Knudsen, Vice Chair
Doane
McNally

FREE CONFERENCE COMMITTEE
on **Senate Bill 148**
Report No. 001, April 22, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 148** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 148** (reference copy -- salmon) be amended as follows:

1. Page 1, line 15.

Strike: "EQUAL"

Insert: "up"

For the Senate:

L. Jones, Chair
Hamlett
Sonju

For the House:

Fitzpatrick, Vice Chair
Curtis
Hagan

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 305**
Report No. 001, April 22, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 305** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 305** (reference copy -- salmon) be amended as follows:

1. Page 1, line 22.

Strike: "OR CONTROLLED"

2. Page 3, line 7.

Strike: "OR CONTROLLED"

3. Page 6, line 15.

Strike: "OR CONTROLLED"

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For the Senate:

Peterson, Chair
F. Moore
Van Dyk

For the House:

Randall, Vice Chair
Lang
Pease-Lopez

FREE CONFERENCE COMMITTEE
on **Senate Joint Resolution 18**
Report No. 001, April 22, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Joint Resolution 18** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Joint Resolution 18** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 7.

Strike: "ANNUALLY PRODUCE A BALANCED BUDGET,"

Insert: "ACCOMPLISH A BALANCED BUDGET WITHIN 10 YEARS AND"

2. Title, page 1, line 8.

Strike: ", AND REDUCE THE NATIONAL DEBT"

3. Page 2, line 1.

Following: "PATH"

Strike: ", CREATING UNPRECEDENTED DEBT, HINDERING JOB CREATION,"

Strike: "THREATENING"

Insert: "threaten"

4. Page 2, line 2.

Strike: "WITH A BLEAK FUTURE"

5. Page 2, line 7.

Strike: "IN 2011"

Insert: "has"

Following: "CEILING"

Insert: "79 times since 1960"

6. Page 2, line 14.

Strike: "WHO HAVE NO SAY IN THE DECISIONMAKING PROCESS"

7. Page 2, line 15.

Strike: "OUR"

Insert: "massive amounts of federal"

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8. Page 2, line 18 through line 19.

Strike: line 18 through line 19 in their entirety

9. Page 2, line 30 through page 3, line 1.

Strike: "A BUDGET IS NOT ONLY A CONSTITUTIONAL REQUIREMENT, IT IS A
FUNDAMENTAL RESPONSIBILITY AND A REFLECTION OF PRINCIPLES AND VISION"

10. Page 3, line 7 through line 9.

Strike: "must" on line 7 through "debt" on line 9

Insert: "reduces annual deficit spending and accomplishes a balanced budget within 10 years"

For the Senate:

Thomas, Chair
Dick Barrett
Rosendale

For the House:

Halvorson, Vice Chair
Howard
McCarthy

MESSAGES FROM THE SENATE

House bills concurred in and returned to the House: 4/20/2013

HB 205, introduced by Kerns

HB 555, introduced by Hill

Senate joint resolutions passed and transmitted to the House for concurrence: 4/20/2013

SJR 29, introduced by Phillips

SJR 33, introduced by Ripley

House amendments to Senate bill concurred in: 4/20/2013

SB 201, introduced by Hamlett

HB 218 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 218**:

4/22/2013

Senator Rosendale, Chair
Senator F. Moore
Senator Stewart-Peregoy

SB 173 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **SB 173**:

4/22/2013

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Senator Sonju, Chair
Senator D. Brown
Senator Keane

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 29, introduced by Phillips, referred to Education.

SJR 33, introduced by Ripley (by request of the Senate Finance and Claims Standing Committee), referred to State Administration.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Halvorson in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 133 - Conference Committee Report No. 1 - Representative Berry moved the Conference Committee report to **HB 133** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 86

Nays: Boland, Doane, Dudik, Hollenbaugh, Kerns, Noonan, Pomnichowski, Randall, Redfield, Regier, Squires, White.

Total 12

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: McNiven, Mr. Speaker.

Total 2

HB 225 - Governor's Amendments - Representative C. Smith moved Governor's amendments to **HB 225** be **not** concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara,

Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 274 - Governor's Amendments - Representative Greef moved Governor's amendments to **HB 274** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

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Nays: Kerns, Redfield.
Total 2

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 377 - Senate Amendments - Representative Woods moved Senate amendments to **HB 377** be concurred in.

HB 377 - Representative Ballance moved for cloture. Motion Carried.

HB 377 - Senate Amendments - Representative Woods moved Senate amendments to **HB 377** be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 55

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 45

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 342 - Free Conference Committee Report No. 1 - Representative Brockie moved the Free Conference Committee report to **SB 342** be adopted. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson,

Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Warburton, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 57

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Hansen, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.
Total 43

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Halvorson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 97

Nays: Hertz, Miller, Warburton.
Total 3

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 76 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: Ballance, J. Bennett, Brodehl, Hagstrom, Kary, Kerns, McNiven, Regier, Zolnikov.

Total 9

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 97, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Knudsen,

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Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 87

Nays: J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Harris, Kary, Kerns, McNiven, O'Neil, Schwaderer, Steenberg, Zolnikov.
Total 13

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 277, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Flynn, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.
Total 85

Nays: Brodehl, Doane, Fiscus, Fitzpatrick, Glimm, Harris, Hertz, Hoven, Jones, Kerns, O'Neil, Osmundson, Regier, Woods, Zolnikov.
Total 15

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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HB 454 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Shaw, B. Smith,

Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 58

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Fiscus.

Total 1

SB 256, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hertz, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Majority Leader Vance moved the House accede to the request of the Senate and appoint a **Free** Conference Committee on **SB 173**. Motion Carried. Speaker Blasdel appointed:

4/22/2013

Representative Berry

Representative Lang

Representative Noonan

HB 129 was transmitted to the House after the deadline for General Bills. As per Joint Rule 40-200, Majority Leader Vance moved the House receive **HB 129** into the Chamber for Consideration.

Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fitzpatrick, Flynn, Gibson, Greef, Hagan, Hagstrom, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 86

Nays: Ballance, Doane, Fiscus, Galt, Glimm, Gursky, Halvorson, Harris, Knudsen, Pease-Lopez, Peppers, Randall.

Total 12

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Clark, Washburn.

Total 2

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Representative Kary moved to reconsider action on **SB 380**.

Motion **failed** as follows:

Yeas: Ankney, Ballance, J. Bennett, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Galt, Glimm, Greef, Halvorson, Harris, Hertz, Hoven, Howard, Ingraham, Kary, Kerns, Knudsen, Lang, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 46

Nays: Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Jones, Laszloffy, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 53

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Flynn.

Total 1

Representative Fiscus moved to change his vote on **HB 225** from No to Yes. Without objection, so ordered.

ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 3:00 p.m., Tuesday, April 23, 2013. Motion carried.

House adjourned at 5:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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63RD LEGISLATURE
EIGHTY-SIXTH LEGISLATIVE DAY**

Helena, Montana
April 23, 2013

House Chambers
State Capitol

House convened at 3:00 p.m. Mr. Speaker presiding. Invocation by Representative Warburton. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/23/2013

Correctly printed: **SB 81**.

Correctly engrossed: **SB 410**.

Correctly enrolled: **HB 100, HB 184, HB 262, HB 297, HB 301, HB 345, HB 377, HB 395, HB 457**.

Examined by the sponsor and found to be correct: **HB 76, HB 205, HB 301, HB 395, HB 454, HB 457, HB 555**.

Transmitted to the Senate: **SB 394**.

Signed by the Speaker at 11:25 a.m., April 24, 2013: **HB 76, HB 205, HB 301, HB 395, HB 454, HB 457, HB 555**.

Signed by the Chief Clerk of the House at 3:30 p.m., April 24, 2013: **HB 76, HB 205, HB 301, HB 395, HB 454, HB 457, HB 555**.

REPORTS OF SELECT COMMITTEES

**FREE CONFERENCE COMMITTEE
on House Bill 120**

Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 120** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 120** (reference copy -- salmon) be amended as follows:

1. Page 13, line 20 through line 21.

Strike: "who" on line 20 through "registration" on line 21

2. Page 13, line 27 through line 28.

Strike: "or" on line 27 through "county" on line 28

3. Page 25, line 17.

Strike: "or by facsimile or other electronic means"

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For the Senate:

Wittich, Chair
Boulanger
Malek

For the House:

Vance, Vice Chair
Hunter
Ingraham

FREE CONFERENCE COMMITTEE
on **House Bill 218**
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 218** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 218** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 14.

Strike: "A"

Strike: "DATE"

Insert: "DATES"

2. Page 5, line 6.

Strike: "EACH"

Insert: "the"

Following: "2014,"

Insert: "only"

3. Page 8, line 21.

Following: "**Termination.**"

Strike: "[This act]"

Insert: "(1) Except as provided in subsection (2), [this act]"

4. Page 8, following line 21.

Insert: "(2) [Section 9] terminates June 30, 2015."

For the Senate:

Rosendale, Chair
F. Moore
Stewart-Peregoy

For the House:

Ankney, Vice Chair
Cuffe
McChesney

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FREE CONFERENCE COMMITTEE
on **House Bill 240**
Report No. 001, April 22, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **House Bill 240** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **House Bill 240** (reference copy -- salmon) be amended as follows:

1. Page 3, line 25.

Following: "PROHIBITED"

Insert: "for certain individuals"

2. Page 3, line 26.

Strike: "SUBSECTIONS (2) AND (3)"

Insert: "subsection (2)"

3. Page 3, line 28.

Following: "property"

Insert: "by a person with a permit issued pursuant to 45-8-321 or recognized pursuant to 45-8-329"

4. Page 4, line 16 through line 20.

Strike: subsection (3) in its entirety

For the Senate:

F. Moore, Chair
Fielder
Larsen

For the House:

C. Smith, Vice Chair
Kerns
MacDonald

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 96**
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 96** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 96** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 15.

Following: "REVENUE;"

Insert: "PROVIDING CONTINGENT INCREASES AND DECREASES TO APPROPRIATIONS;"

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2. Page 8, line 7.

Strike: "\$10"

Insert: "\$6"

3. Page 8, line 10.

Strike: "\$10"

Insert: "\$6"

4. Page 8, line 23.

Strike: "\$250,000"

Insert: "\$100,000"

5. Page 11.

Following: line 3

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved, then:

(1) the general fund appropriation for BASE Aid in House Bill No. 2 of \$580,680,837 is decreased by \$3,053,710 in fiscal year 2015; and

(2) the general fund appropriation for Reimbursement Block Grants in House Bill No. 2 of \$66,334,425 is increased by \$7,931,716 in fiscal year 2015."

Renumber: subsequent sections

For the Senate:

Tutvedt, Chair
Phillips
Thomas

For the House:

G. Bennett, Vice Chair
Lavin
McClafferty

FREE CONFERENCE COMMITTEE
on **Senate Bill 173**
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 173** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 173** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 6.

Following: "LAWS;"

Insert: "AUTHORIZING THE STATE OF MONTANA TO OBTAIN WORKERS' COMPENSATION COVERAGE UNDER PLAN NO. 2 OR PLAN NO. 3; AUTHORIZING THE STATE COMPENSATION INSURANCE FUND TO INSURE ITS EMPLOYEES UNDER PLAN NO. 3 IF THE DEPARTMENT OF ADMINISTRATION ELECTS COVERAGE FOR OTHER STATE AGENCIES UNDER PLAN NO. 2;"

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2. Title, page 1, line 7 through line 8.

Strike: "A ONE-TIME" on line 7 through "PRIOR TO USING" on line 8

3. Title, page 1, line 10.

Strike: "2013"

Insert: "1990"

4. Title, page 1, line 19.

Following: "SECTIONS"

Insert: "39-71-403, 39-71-2201,"

5. Page 1.

Following: line 22

Insert: "Section 1. Section 39-71-403, MCA, is amended to read:

"39-71-403. Plan three exclusive for state agencies -- election of plan by public corporations State agency coverage -- public corporation coverage -- financing of self-insurance fund -- exemption for university system -- definitions -- rulemaking. (1) (a) Except as provided in [section 3] and subsection (5), ~~if a state agency is the employer, the terms, conditions, and provisions of compensation plan No. 3, state fund, are exclusive, compulsory, and obligatory upon both employer and employee.~~ of this section, the department of administration shall elect workers' compensation insurance coverage on behalf of all state agencies and manage the coverage under the terms, conditions, and provisions of compensation plan No. 2 or plan No. 3. The state agency is the employer for purposes of the compensation plan selected pursuant to this section. Any sums necessary to be paid under the provisions of this chapter by a state agency are considered to be ordinary and necessary expenses of the state agency. The state agency shall pay the sums into the state fund at the time and in the manner provided for in this chapter, notwithstanding that the state agency may have failed to anticipate the ordinary and necessary expense in a budget, estimate of expenses, appropriations, ordinances, or otherwise.

(b) (i) ~~Subject to subsection (5), the department of administration, provided for in 2-15-1001, shall manage~~ The department of administration shall elect coverage under one compensation plan to provide workers' compensation insurance coverage for all state agencies except the state compensation insurance fund if the state compensation insurance chooses a plan No. 2 insurer. The plan selected by the department of administration is to be exclusive, compulsory, and obligatory upon both the employer and the employee.

(ii) ~~The state fund plan No. 2 or plan No. 3 insurer~~ shall provide the department of administration with all information regarding the state agencies' coverage.

(iii) Notwithstanding the status of a state agency as employer in subsection (1)(a) and contingent upon mutual agreement between the department of administration and the ~~state fund,~~ the state fund plan No. 2 or plan No. 3 insurer, the plan No. 2 or plan No. 3 insurer shall issue one or more policies for all state agencies.

(iv) In any year in which the workers' compensation premium due from a state agency is lower than in the previous year, the appropriation for that state agency must be reduced by the same amount that the workers' compensation premium was reduced and the difference must be returned to the originating fund instead of being applied to other purposes by the state agency submitting the premium.

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(2) (a) A public corporation, ~~other than a state agency~~, may elect coverage under compensation plan No. 1, plan No. 2, or plan No. 3, separately or jointly with any other public corporation, ~~other than a state agency~~ or with the department of administration as provided in subsection (2)(b).

(b) Except as provided in [section 3], the department of administration, on behalf of all state agencies, may join with a public corporation to elect coverage under compensation plan No. 2 or plan No. 3. Until notes or bonds described in subsection (3)(a) are fully paid, the funds described in subsection (3)(a) must remain separate from the funds paid to the department of administration by state agencies.

(c) A public corporation, if electing coverage under compensation plan No. 1, may purchase reinsurance or issue bonds or notes pursuant to subsection (3)(b). A public corporation electing coverage under compensation plan No. 1 is subject to the same provisions as a private employer electing compensation plan No. 1.

(3) (a) A public corporation, ~~other than a state agency~~, that elects coverage under plan No. 1 may establish a fund sufficient to pay the compensation and benefits provided for in this chapter and to discharge all liabilities that are reasonably incurred during the fiscal year for which the election is effective. Proceeds from the fund ~~must~~ may be used only to pay claims covered by this chapter and for actual and necessary expenses required for the efficient administration of the fund, including debt service on any bonds and notes issued pursuant to subsection (3)(b).

(b) (i) A public corporation, ~~other than a state agency~~, separately or jointly with another public corporation, ~~other than a state agency~~, may issue and sell its bonds and notes for the purpose of establishing, in whole or in part, the self-insurance workers' compensation fund provided for in subsection (3)(a) and to pay the costs associated with the sale and issuance of the bonds. Bonds and notes may be issued in an amount not exceeding 0.18% of the total assessed value of taxable property, determined as provided in 15-8-111, of the public corporation as of the date of issue. The bonds and notes must be authorized by resolution of the governing body of the public corporation and are payable from an annual property tax levied in the amount necessary to pay principal and interest on the bonds or notes. This authority to levy an annual property tax exists despite any provision of law or maximum levy limitation, including 15-10-420, to the contrary. The revenue derived from the sale of the bonds and notes may not be used for any other purpose.

(ii) The bonds and notes:

(A) may be sold at public or private sale;

(B) do not constitute debt within the meaning of any statutory debt limitation; and

(C) may contain other terms and provisions that the governing body determines.

(iii) Two or more public corporations, ~~other than state agencies~~, may agree to exercise their respective borrowing powers jointly under this subsection (3)(b) or may authorize a joint board to exercise the powers on their behalf.

(iv) The fund established from the proceeds of bonds and notes issued and sold under this subsection (3)(b) may, if sufficient, be used in lieu of a surety bond, reinsurance, specific and aggregate excess insurance, or any other form of additional security necessary to demonstrate the public corporation's ability to discharge all liabilities as provided in subsection (3)(a). Subject to the total assessed value limitation in subsection (3)(b)(i), a public corporation may issue bonds and notes to establish a fund sufficient to discharge liabilities for periods greater than 1 year.

(4) All money in the fund established under subsection (3)(a) not needed to meet immediate expenditures must be invested by the governing body of the public corporation or the joint board created by two or more public corporations as provided in subsection (3)(b)(iii), and all

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proceeds of the investment must be credited to the fund.

(5) For the purposes of subsection ~~(4)(b)~~ (1)(a), the judicial branch or the legislative branch may choose not to have the department of administration manage its workers' compensation policy.

(6) The department of administration may adopt rules to implement ~~subsection (1)(b)(i)~~ this section.

(7) As used in this section, the following definitions apply:

(a) "Public corporation" ~~includes~~ has the meaning provided in 39-71-116 except that a state agency is excluded and the Montana university system is included.

(b) (i) "State agency" means:

(A) the executive branch and its departments and all boards, commissions, committees, bureaus, and offices;

(B) the judicial branch; and

(C) the legislative branch.

(ii) The term does not include the Montana university system."

Insert: "Section 2. Section 39-71-2201, MCA, is amended to read:

"39-71-2201. Election to be bound by plan -- captive reciprocal insurers. (1) Any employer ~~except those specified in 39-71-403~~ may, by filing an election to become bound by compensation plan No. 2, insure the employer's liability to pay the compensation and benefits provided by this chapter with any insurance company authorized to transact ~~such~~ workers' compensation business in this state.

(2) Any employer electing to become bound by compensation plan No. 2 shall make the election on the form and in the manner prescribed by the department.

(3) A captive reciprocal insurer established by or on behalf of an employer or a group of employers is considered to be a compensation plan No. 2 insurer. Pursuant to 33-28-205, a captive reciprocal insurer may not be a member of an insurance guaranty association or guaranty fund."

Insert: "NEW SECTION. Section 3. State compensation insurance fund options. If the department of administration elects coverage under plan No. 2 under the provisions of 39-71-403, the state fund may choose to provide and manage workers' compensation coverage for its employees under plan No. 3. If the state fund exercises this option, the state fund is exempt from 39-71-403 for the purposes of 39-71-2314. For the purposes of this chapter, upon exercising the option under this section, the state fund is the employer and the terms, conditions, and provisions of plan No. 3 are exclusive, compulsory, and obligatory upon both the employer and the employee."

Renumber: subsequent sections

6. Page 3, line 6.

Strike: "EMPLOYEE OR"

7. Page 3, lines 7 through 8.

Strike: "TO" on line 7

Insert: "at a meeting of"

Strike: "IN A PUBLIC HEARING," on line 7 through "COMMENT," on line 8

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8. Page 3, line 14.

Following: "ADJUSTMENTS"

Insert: "for all employees"

9. Page 3, line 18.

Following: the first "THE"

Insert: "degree of"

10. Page 5, line 10.

Strike: "AFTER THE ONE-TIME" through "FUND, ALL"

Insert: "All"

11. Page 5, lines 14 through 15.

Strike: "AFTER EXPENDING" on line 14 through "TRANSFER" on line 15

Insert: "Subject to subsection (3), the state fund's equity or surplus, as that term is used in 39-71-2323, that has accrued from income other than premiums paid to the state fund based upon wages payable on or after July 1, 1990, must be used"

12. Page 5, lines 16 through 19.

Following: "1990" on line 16

Strike: ", the state fund's assets" on line 16 through "funded" on line 19

13. Page 6, lines 27 through 29.

Strike: section 6 in its entirety

Insert: "NEW SECTION. Section 9. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 39, chapter 71, part 23, and the provisions of Title 39, chapter 71, part 23, apply to [section 3]."

Renumber: subsequent section

For the Senate:

Sonju, Chair
D. Brown
Keane

For the House:

Berry, Vice Chair
Lang
Noonan

FREE CONFERENCE COMMITTEE
on **Senate Bill 282**
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 282** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

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And, recommend that **Senate Bill 282** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 21.

Following: "~~15-32-104,~~"

Insert: "15-32-104,"

Strike: "15-32-201,"

2. Title, page 1, line 27.

Following: "~~15-30-2319,~~"

Insert: "15-30-2319,"

3. Title, page 1, line 29.

Following: "~~15-32-109,~~"

Insert: "15-32-109,"

Following: "~~15-32-203,~~"

Insert: "15-32-201, 15-32-202, 15-32-203,"

4. Page 15, line 17.

Strike: "3.5%"

Insert: "4%"

5. Page 15, line 18.

Strike: "5.75%"

Insert: "6%"

6. Page 15, line 20.

Strike: "3.5%"

Insert: "4%"

7. Page 15, line 21.

Strike: "5.75%"

Insert: "6%"

8. Page 15, line 24.

Strike: "3.5%"

Insert: "4%"

9. Page 15, line 25.

Strike: "5.75%"

Insert: "6%"

10. Page 15, line 28.

Strike: "3.5%"

Insert: "4%"

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11. Page 15, line 29.

Strike: "5.75%"

Insert: "6%"

12. Page 16, line 13.

Strike: the first "3.5%"

Insert: "4%"

Strike: the second "3.5%"

Insert: "4%"

13. Page 16, line 14.

Strike: "5.75%"

Insert: "6%"

14. Page 16, line 15.

Strike: "3.5%"

Insert: "4%"

15. Page 16, line 21.

Strike: "3.5%"

Insert: "4%"

16. Page 16, line 22.

Strike: "2%"

Insert: "2.5%"

17. Page 16, line 24.

Strike: "3.5%"

Insert: "4%"

18. Page 16, line 25.

Strike: "3.5%"

Insert: "4%"

19. Page 16, line 26.

Strike: "3.5%"

Insert: "4%"

20. Page 16, line 29.

Strike: "3.5%"

Insert: "4%"

21. Page 16, line 30.

Strike: "2%"

Insert: "2.5%"

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22. Page 17, line 2.

Strike: "4.25%"

Insert: "4.5%"

23. Page 17, line 3.

Strike: "5.75%"

Insert: "6%"

24. Page 17, line 4.

Strike: "4.25%"

Insert: "4.5%"

25. Page 41, line 9.

Insert: "**Section 32.** Section 15-32-104, MCA, is amended to read:

"15-32-104. Limitations on deduction and credit. Tax treatment under 15-32-103 ~~and 15-32-109~~ is limited to persons and firms not primarily engaged in the provision of gas or electricity derived from fossil fuel extraction or conventional hydroelectric development.""

Renumber: subsequent sections

26. Page 41, line 12 through line 13.

Strike: "THE" on line 12 through "15-32-109." on line 13

27. Page 41, line 14.

Strike: "OR CREDIT"

Strike: "OR 15-32-109"

28. Page 41, line 16.

Strike: "OR CREDIT"

Strike: "OR ENERGY CONSERVATION"

29. Page 41, line 19.

Following: "days."

Insert: "The department may refer a deduction involving energy conservation to the department of labor and industry for its advice, and the department of labor and industry shall respond within 60 days."

30. Page 41, line 20.

Strike: "OR CREDIT"

31. Page 41, line 22 through page 42, line 5.

Strike: section 33 in its entirety

Renumber: subsequent subsections

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32. Page 81.

Following: line 13

Insert: "15-30-2319. Credit for energy-conserving investments."

33. Page 82.

Following: line 1

Insert: "15-32-109. Credit for energy-conserving expenditures."

34. Page 82.

Following: line 5

Insert: "15-32-201. Amount of credit -- to whom available.

15-32-202. Taxable years in which credit may be claimed -- carryover.

15-32-203. Department to make rules."

For the Senate:

Thomas, Chair
Phillips
Tutvedt

For the House:

Osmundson, Vice Chair
Coffin
Hansen

CONFERENCE COMMITTEE
on House Amendments to **Senate Bill 323**
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Conference Committee met and considered House amendments to **Senate Bill 323** (reference copy -- salmon) and recommend this Conference Committee report be adopted.

And, recommend that **Senate Bill 323** (reference copy -- salmon) be amended as follows:

1. Page 1, line 15.

Following: "PHYSICIAN."

Insert: "Ongoing prescriptions for Schedule II and Schedule III drugs may be prescribed only by a treating physician."

For the Senate:

Thomas, Chair
Debby Barrett
Vuckovich

For the House:

Salomon, Vice Chair
Pierson
Schwaderer

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FREE CONFERENCE COMMITTEE
on Senate Bill 348
Report No. 001, April 23, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 348** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 348** (reference copy -- salmon) be amended as follows:

1. Title, page 1, line 9 through line 11.

Strike: "REVISING" on line 9 through "CONTROL;" on line 11

2. Title, page 1, line 17.

Strike: "REPEALING" through "PROGRAM;"

3. Title, page 1, line 18.

Strike: "20-9-516,"

4. Title, page 1, line 19 through line 20.

Strike: "REPEALING" on line 19 through "MCA;" on line 20

5. Page 4, line 6 through page 5, line 5.

Strike: section 5 in its entirety

Renumber: subsequent sections

6. Page 14, line 4 through line 17.

Strike: section 11 in its entirety

Renumber: subsequent sections

7. Page 14, line 19.

Strike: "10"

Insert: "9"

8. Page 14, line 20.

Strike: "1"

Insert: "9"

9. Page 14, line 22.

Strike: "subsections"

Insert: "subsection"

Strike: "and (3)"

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10. Page 14, line 24.

Strike: "10"

Insert: "9"

11. Page 14, line 25.

Strike: subsection (3) in its entirety

12. Page 14, line 27 through line 28.

Strike: section 14 in its entirety

Renumber: subsequent sections

13. Page 14, line 30.

Strike: "10"

Insert: "9"

For the Senate:

Thomas, Chair
Arntzen
Facey

For the House:

Blyton, Vice Chair
McClafferty
Salomon

MESSAGES FROM THE SENATE

House bill concurred in and returned to the House:

4/22/2013

HB 457, introduced by Price

House bill concurred in as amended and returned to the House for concurrence in Senate amendments:

4/23/2013

HB 411, introduced by Harris

This amended bill is being returned after the deadline for General Bills.

Joint rule 40-200 requires a 2/3 vote for the bill to be considered by the receiving house.

Senate joint resolutions passed and transmitted to the House for concurrence:

4/22/2013

SJR 31, introduced by Phillips

SJR 38, introduced by Windy Boy

House amendments to Senate bill concurred in:

4/22/2013

SB 69, introduced by Walker

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Free Conference Committee Report No.1 adopted:

4/22/2013

HB 301, introduced by Halvorson

HB 395, introduced by Wagoner

HB 240 - The Senate acceded to the request of the House and authorized the President to appoint the following **Free** Conference Committee to meet with a like committee from the House to confer on **HB 240**:

4/22/2013

Senator F. Moore, Chair

Senator Fielder

Senator Larsen

SB 348 - The Senate failed to concur in House amendments to **SB 348**, authorized the President to appoint the following **Free** Conference Committee, and requested that the House appoint a like committee to confer on **SB 348**:

4/22/2013

Senator Thomas, Chair

Senator Arntzen

Senator Facey

MESSAGES FROM THE GOVERNOR

April 22, 2013

The Honorable Mark Blasdel

Speaker of the House

State Capitol

Helena, MT 59620

Dear Speaker Blasdel:

On Monday, April 22, I signed and delivered the following House bills to the Secretary of State:

House Bill 23 - B. Bennett
House Bill 24 - Ankney
House Bill 37 - McChesney
House Bill 71 - MacDonald
House Bill 78 - Regier
House Bill 95 - Wilmer
House Bill 122 - B. Bennett
House Bill 187 - Flynn
House Bill 189 - Lenz
House Bill 195 - Ingraham
House Bill 203 - Clark

House Bill 336 - Gibson
House Bill 352 - Fitzpatrick
House Bill 344 - Hoven
House Bill 410 - Washburn
House Bill 446 - Schwaderer
House Bill 448 - Brodehl
House Bill 461 - Lieser
House Bill 485 - Lavin
House Bill 508 - Edmunds
House Bill 510 - Ingraham
House Bill 546 - Hollandsworth

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House Bill 250 - Bangerter
House Bill 299 -Warburton

House Bill 552 - Neill

I am returning House Bill 554 -B. Smith with amendments.

I have vetoed House Bill 30 - Washburn, House Bill 162 - Flynn, House Bill 396 - Lang and House Bill 522 - Schwaderer.

Sincerely,

STEVE BULLOCK
Governor

April 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capital
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capital Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 30 (HB 30), "AN ACT REVISING THE CLOSE OF LATE VOTER REGISTRATION; ENSURING COMPLIANCE WITH THE NATIONAL VOTER REGISTRATION ACT; AMENDING SECTIONS 13-2-301, 13-2-304, 13-19-207, AND 61-5-107, MCA; AND PROVIDING AN EFFECTIVE DATE."

In 2005, the 59th Montana Legislature passed a measure that allowed an eligible voter to register at any time leading up to and including on Election Day. That measure passed with large, bipartisan support -141 to 9. Since then, 28,000 Montanans have registered and voted on Election Day and our democracy is better for it.

The nearly unanimous passage of Election Day Registration ensured that a lifelong voter would not be denied the opportunity to participate because a clerical error removed them from the voting rolls or a political operative attempted to purge them.

HB 30 seeks to eliminate those protections voters rely on.

Proponents of this measure cited long lines on Election Day as their primary reason for passing HB 30 and denying some eligible Montanans the right to participate in our democracy. I believe that the registration and voting process should become more convenient so that every eligible

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Montanans can have their say in our elections that includes ensuring that election officials have the tools they need to conduct elections efficiently. Regardless of whom they supported, we should celebrate that some Montanans would wait in line for several hours to cast their ballot and ensure their voices were heard -not using it as an excuse to make it more difficult for Montanans to exercise their rights.

If implemented, HB 30 could deny the fundamental right to the ballot to a senior citizen who moved into an assisted living facility. It could also disallow an active duty military member from voting because she happened to be deployed during an arbitrarily prescribed voter registration period.

I don't believe it is wise for elected leaders to step on the freedoms that Montanans expect us to protect. For these reasons, I respectfully request that you sustain my veto.

Sincerely,

STEVE BULLOCK
Governor

April 22, 2013
The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 162 (HB 162) "AN ACT ESTABLISHING A HIGH-DEDUCTIBLE HEALTH PLAN WITH A HEALTH SAVINGS ACCOUNT AS AN OPTIONAL HEALTH PLAN OFFERED UNDER THE STATE EMPLOYEE GROUP BENEFITS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HB 162 unnecessarily mandates that the State Employee Group Benefit Plan offer a High Deductible Health Plan with a Health Savings Account. This is already an option the Plan may offer under current law. However, a mandate from the Legislature to the Department of Administration to require the plan to offer a particular benefit would be unprecedented. Currently, the Plan operates with broad guidance from the Legislature and within a specific appropriation, but is not mandated to offer any specific benefit. The language should stay as is, allowing the health plan to continue to analyze what is the best plan at any given period in time for state employees and what options may be in the best interests of the plan or its members, now or in the future.

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In addition, Section 1 (2) adds an unnecessary and redundant requirement that the department comply with the Montana Procurement Act (Act). As a state agency, the department already does this. Not only is the department required to follow this Act, but it is also the agency that administers the procurement program for the state.

The department has considered offering a high-deductible plan to state employees and will continue to consider this option irrespective of the bill. However, until the department has reached its own conclusions as to the merits of offering a high deductible plan, I oppose HB 162, which mandates such an option be offered. I therefore respectfully request that you sustain my veto.

Sincerely

STEVE BULLOCK
Governor

April 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol Helena, MT 59620

Dear Speaker Blasdel and President Essmann:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 396 (HB 396), "AN ACT REQUIRING APPROVAL OF THE BOARD OF COUNTY COMMISSIONERS BEFORE THE DEPARTMENTS OF LIVESTOCK OR FISH, WILDLIFE, AND PARKS MAY AUTHORIZE ANY RELEASE, TRANSPLANT A NON, OR RELOCATION OF WILD BUFFALO OR BISON CERTIFIED AS BRUCELLOSIS-FREE INTO A MONTANA COUNTY; AMENDING SECTIONS 81-2-120 AND 87-1-216, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 396 sets a dangerous precedent by transferring authority for management of certain of the state's wildlife from the state to the counties. Montana's wildlife resources are managed by the state for good reasons, and the soundness of this policy is reflected in current statute in section 7-1-111 (12), MCA (prohibiting counties with self-government powers, which includes almost all counties, from exercising any power that applies to or affects fish and wildlife). Management of the public's wildlife should not be parsed out in a confusing manner among 56 counties and along arbitrary political boundaries that have little to do with how fish and wildlife are present on or utilize the landscape.

As an illustration of the problem, HB 396 fails to establish criteria by which counties must make decisions regarding wildlife transplantation, and it provides no appropriate public process for doing

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so. This would be in contrast to the current process, where wildlife management is defined by science, well-established criteria, and opportunity for public input. HB 396 is not sound public policy.

Finally, HB 396 runs counter to Montana's established laws for disease control and the transport of wildlife and livestock, by allowing county government to exercise veto authority over the transport of one particular species. Proper application and harmonization of these laws belongs in the hands of the state veterinarian and state livestock inspectors.

I am committed to ensuring that state government works cooperatively with Montana counties. On April 5, I signed into law SB 249, which further defines "consultation" with respect to the relationship between the Department of Fish, Wildlife & Parks and counties and tribes regarding management of predators and large game species. I have asked the department to carry forward the spirit of SB 249 as it works with counties and tribes on the management of all fish and wildlife.

For these reasons, I respectfully ask for your support in sustaining my veto.

Sincerely,

STEVE BULLOCK
Governor

April 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

The Honorable Jeff Essmann
President of the Senate
State Capitol
Helena, MT 59620

Dear Speaker Blasdel and President Essman:

In accordance with the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 522 (HB 522), entitled, "AN ACT RELATING TO DETAINMENT WITHOUT CHARGE, MILITARY TRIBUNALS, AND TRANSFER TO FOREIGN JURISDICTIONS OF PERSONS RESIDING IN THE STATE OF MONTANA; PROHIBITING THE STATE FROM PROVIDING MATERIAL SUPPORT FOR CERTAIN FEDERAL ACTS; PROHIBITING STATE PARTICIPATION IN THE IMPLEMENTATION OF CERTAIN FEDERAL ACTS; REQUIRING PERIODIC REPORTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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HB 522 prohibits state agencies from providing material support in the implementation of sections 1021 and 1022 of the federal National Defense Authorization Act of 2012. Section 1021 of that Act has been challenged in federal court as being in violation of the First and Fifth Amendments to the U.S. Constitution. At issue in the litigation is whether section 1021 is overbroad or ambiguous and may allow for the indefinite detention of U.S. citizens who are journalists or activists. The litigation concerning the scope of Section 1021 is ongoing. See Christopher Hedges, et al. v. Barak Obama, et al., 890 F.Supp.2d 424 (S.D. N.Y., Sept. 12, 2012); Hedges, et al. v. Obama, 2012 U.S. App. LEXIS 19880 (2nd Cir., Sept. 17, 2012); Hedges, et al. v. Obama, 133 S.Ct. 1307 (Feb. 19, 2013).

HB 522 is similar to other bills this legislative session which attempt to nullify federal law in some instances, and prohibit the nullification of federal law in other instances. I vetoed HB 302, which would have prohibited the enforcement of a potential federal ban on semiautomatic weapons, even though no ban is even being considered. I also vetoed HB 50, which would have prohibited local governments from "nullifying" federal immigration law. I now veto HB 522 for the same reasons. First, the scope and applicability of the National Defense Authorization Act is under litigation. The result of that litigation may render HB 522 unnecessary. Second -as I have previously stated while any citizen is entitled to make political statements, we ought not clutter the Montana code with such statements or put our law enforcement officers in an untenable position. This bill should more appropriately have been brought as a joint resolution.

For these reasons, I respectfully ask you to sustain my veto of HB 522.

Sincerely,

STEVE BULLOCK
Governor

April 22, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return with amendments House Bill 554 (HB 554), "AN ACT REVISING LAWS RELATED TO LEGISLATOR PAYROLL AND BENEFITS; AMENDING SECTIONS 52-302 AND 5-2-303, MCA; AND PROVIDING AN EFFECTIVE DATE."

HB 554 was originally designed to fix two issues related to legislator compensation and ensure that if a legislator is also a state employee, the State Plan would be paid only once for this employee. In the form approved by both houses, the issue of legislator compensation has been satisfactorily resolved; however, the benefits issue is not. As a result, under HB 554, the State Health Care Plan will receive double payments of the state share for state employees who are also legislators.

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In order to eliminate these double payments, it only makes sense that during the legislative session, the legislative branch would pay the state share and when the Legislature is not in session, the employing agency would pay the state share. My proposed amendment addresses the double payment issue by requiring just that.

I respectfully ask for your support of this amendment.

Sincerely,

STEVE BULLOCK
Governor

Report No. 001, April 23, 2013

Governor's recommendations for amendments to **House Bill 554** (reference copy -- salmon) are as follows:

1. Page 2, line 12.

Following: "(C)"

Insert: "(i)"

Strike: "MUST"

Insert: "may not"

2. Page 2, line 13.

Following: "WHO IS"

Insert: "also"

3. Page 2, line 15.

Insert: "(ii) The unused employer contributions under subsection (2)(c)(i) must revert to the general fund at the end of the biennium."

- End -

FIRST READING AND COMMITMENT OF BILLS

The following Senate joint resolutions were introduced, read first time, and referred to committees:

SJR 31, introduced by Phillips, referred to Natural Resources.

SJR 38, introduced by Windy Boy, Augare, Brockie, Calf Boss Ribs, Hamlett, Pease-Lopez, B. Smith, Stewart-Peregoy, Whitford, referred to Education.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Laszloffy in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 129 - Senate Amendments - Representative Gibson moved Senate amendments to **HB 129** be concurred in. Motion failed as follows:

Yeas: Ankney, Bangerter, Berry, Blyton, Clark, Connell, Cook, Cuffe, Ehli, Fitzpatrick, Gibson, Greef, Hagan, Hagstrom, Hertz, Hollandsworth, Hoven, Ingraham, McCarthy, McChesney, McNally, McNiven, Mehlhoff, O'Hara, Salomon, Shaw, Washburn, Welborn, Williams, Wilmer, Mr. Speaker.
Total 31

Nays: Ballance, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Brodehl, Coffin, Court, Curtis, Doane, Dudik, Eck, Edmunds, Fiscus, Flynn, Galt, Glimm, Gursky, Halvorson, Hansen, Harris, Hill, Hollenbaugh, Howard, Hunter, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McClafferty, Miller, Moore, Neill, Noonan, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, White, Whitford, Wilson, Woods, Zolnikov.
Total 69

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 265 - Senate Amendments - Representative Fitzpatrick moved Senate amendments to **HB 265** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Curtis, Doane, Dudik, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan,

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O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 95

Nays: Court, Eck, Kerns, Neill, Zolnikov.

Total 5

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 359 - Governor's Amendments - Representative Fitzpatrick moved Governor's amendments to **HB 359** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 97

Nays: O'Neil, Schwaderer.

Total 2

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

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HB 431 - Conference Committee Report No. 1 - Representative Knudsen moved the Conference Committee report to **HB 431** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 98

Nays: Lang, O'Neil.
Total 2

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 81 - Representative Ballance moved **SB 81** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 53

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lang, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 47

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: None.

Total 0

Representative McClafferty on a **Point of Personal Privilege** rose to say that she is a special ed teacher and resented comments made that special needs children's requirements were not being met in public school. The Chair ruled her out of order.

SB 410 - Representative Vance moved consideration of **SB 410** be passed for the day. Motion Carried.

SB 148 - Free Conference Committee Report No. 1 - Representative Fitzpatrick moved the Free Conference Committee report to **SB 148** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

SB 305 - Conference Committee Report No. 1 - Representative Randall moved the Conference Committee report to **SB 305** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary,

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Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.

Total 59

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Doane, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Clark.

Total 1

SJR 18 - Free Conference Committee Report No. 1 - Representative Halvorson moved the Free Conference Committee report to **SJR 18** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

Representative B. Bennett moved to reconsider action on **HB 129**.

Motion **passed** as follows:

Yeas: Ankney, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 57

Nays: Ballance, J. Bennett, Berry, Brodehl, Cuffe, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.

Total 43

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 129 - Senate Amendments- Representative Gibson moved the Conference Committee report to **HB 129** be adopted. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Gursky, Hagan, Hagstrom, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 59

Nays: Ballance, J. Bennett, Brodehl, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang,

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Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 41

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Laszloffy moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Peppers, Pomnichowski, Price, Randall, Redfield, Regier, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Williams, Wilmer, Mr. Speaker.
Total 79

Nays: B. Bennett, Boland, Boss Ribs, Coffin, Curtis, Dudik, Gursky, Lieser, McCarthy, Miller, O'Neil, Pease-Lopez, Pierson, Schreiner, B. Smith, Warburton, Whitford, Wilson, Woods, Zolnikov.
Total 20

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Reichner.
Total 1

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

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HB 133, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Washburn, Welborn, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.
Total 75

Nays: B. Bennett, J. Bennett, Boland, Coffin, Court, Curtis, Doane, Dudik, Eck, Fitzpatrick, Gursky, Halvorson, Hill, Hollenbaugh, Kerns, McNiven, Noonan, Pomnichowski, Redfield, Schreiner, Vance, Warburton, White, Wilson, Woods.
Total 25

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 274, as amended by the Governor, passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Hunter, Ingraham, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.
Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Swanson, Whitford, Williams, Wilson, Woods.
Total 36

Voted Absentee: None.

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Excused: None.

Total 0

Absent or not voting: Jones.

Total 1

HB 377 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 56

Nays: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, McNiven, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 44

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 342, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Doane, Dudik, Eck, Gibson, Greef, Gursky, Hagan, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 60

Nays: Ballance, J. Bennett, Berry, Blyton, Brodehl, Cuffe, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Harris, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Neil, Osmundson, Randall, Redfield, Regier, C.

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Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 394 passed as follows:

Yeas: Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 57

Nays: Ankney, B. Bennett, Boland, Boss Ribs, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Brockie.

Total 1

House in Recess.

House Reconvened.

**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Jacobson in the chair.

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Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 120 - Free Conference Committee Report No. 1 - Representative Ingraham moved the Free Conference Committee report to **HB 120** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr. Speaker.
Total 94

Nays: B. Bennett, Gursky, Pomnichowski, Whitford, Williams, Wilson.
Total 6

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 218 - Representative Jacobson moved consideration of **HB 218** be placed at the bottom of the second reading board. Motion Carried.

HB 240 - Free Conference Committee Report No. 1 - Representative C. Smith moved the Free Conference Committee report to **HB 240** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.
Total 60

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson,

Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 40

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 554 - Governor's Amendments - Representative B. Smith moved Governor's amendments to **HB 554** be concurred in. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 99

Nays: Schwaderer.

Total 1

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 96 - Free Conference Committee Report No. 1 - Representative G. Bennett moved the Free Conference Committee report to **SB 96** be adopted. Motion carried as follows:

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Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 173 - Free Conference Committee Report No. 1 - Representative Lang moved the Free Conference Committee report to **SB 173** be adopted. Motion **failed** as follows:

Yeas: Lynch, Noonan, Pierson.

Total 3

Nays: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 97

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 282 - Free Conference Committee Report No. 1 - Representative Hansen moved the Free Conference Committee report to **SB 282** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 62

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323 - Conference Committee Report No. 1 - Representative Salomon moved the Conference Committee report to **SB 323** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 60

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Clark, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson.

Total 40

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 337 - Governor's Amendments - Representative Lenz moved Governor's amendments to **SB 337** be concurred in. Motion **failed** as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 218 - Free Conference Committee Report No. 1 - Representative Ankney moved the Free Conference Committee report to **HB 218** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith,

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C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 98

Nays: Halvorson, Whitford.

Total 2

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise, report progress, and beg leave to sit again. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Jacobson moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer.

Total 82

Nays: B. Bennett, Boland, Coffin, Dudik, Gursky, Lieser, MacDonald, McCarthy, McClafferty, Pease-Lopez, Peppers, Price, Schreiner, Swanson, Wilson, Woods, Zolnikov.

Total 17

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

House Recessed.

House Reconvened.

Roll Call. All members present. Quorum present.

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**SECOND READING OF BILLS
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion Carried. Representative Wagoner in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 410 - Representative Ankney moved **SB 410** be concurred in.

SB 410 - Speaker Blasdel moved **SB 410**, second reading copy, be amended as follows:

1. Title, page 1, line 6.

Following: "ACT;"

Insert: "CREATING STATE SPECIAL REVENUE ACCOUNTS AND AUTHORIZING
APPROPRIATIONS PURSUANT TO THOSE ACCOUNTS IN ORDER TO IMPLEMENT
CERTAIN TRANSFERS; AMENDING SECTION 17-7-502, MCA;"

Following: "DATE"

Insert: "AND A TERMINATION DATE"

2. Page 1, line 10.

Strike: "Transfer."

Insert: "Transfers. (1)"

3. Page 1, following line 11.

Insert: "(2) By July 1, 2013, the state treasurer shall transfer the following amounts from the general fund:

- (a) \$2 million to the corrections operations account established in [section 2];
- (b) \$2 million to the public health operations account established in [section 3];
- (c) \$7.5 million to the governor's operations account established in [section 4];
- (d) \$2 million to the department of labor and industry operations account established in

[section 5].

Insert: "NEW SECTION. Section 2. Corrections operations account -- statutory appropriation. (1) There is a corrections operations account in the state special revenue fund. The account consists of money deposited into the account pursuant to [section 1(2)(a)].

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of corrections for the biennium beginning July 1, 2013, for the purpose of funding various operations costs of the department."

Insert: "NEW SECTION. Section 3. Public health operations account -- statutory appropriation. (1) There is a public health operations account in the state special revenue fund. The account consists of money deposited into the account pursuant to [section 1(2)(b)].

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the

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department of public health and human services for the biennium beginning July 1, 2013, for the purpose of funding various operations, benefits, and grant costs of the department.

(3) Notwithstanding the provisions of 17-7-402 and 17-7-403, the department may add authority through the budget amendment process for any federal funds matched by these funds."

"NEW SECTION. Section 4. Governor's operations account. (1) There is a governor's operations account in the state special revenue fund. The account consists of money deposited into the account pursuant to [section 1(2)(c)].

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the governor's office of budget and program planning for the biennium beginning July 1, 2013, for the purpose of transferring money to the following departments to fund operations costs:

- (a) the department of public health and human services;
- (b) the department of natural resources and conservation;
- (c) the department of environmental quality;
- (d) the department of administration;
- (e) the department of commerce;
- (f) the department of revenue;
- (g) the department of corrections;
- (h) the department of labor and industry; and
- (i) the governor's office."

Insert: "NEW SECTION. Section 5. Department of labor and industry operations account. (1) There is a department of labor and industry operations account in the state special revenue fund. The account consists of money deposited into the account pursuant to [section 1(2)(d)].

(2) Funds in the account are statutorily appropriated, as provided in 17-7-502, to the department of labor and industry for the biennium beginning July 1, 2013, for the purpose of funding various operations costs of the department."

Insert: "Section 6. Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

- (a) The law containing the statutory authority must be listed in subsection (3).
- (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: [section 4]; 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604;

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19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; [section 5]; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 50-4-623; [section 3]; [section 2]; 53-1-109; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161; 85-20-1504; 85-20-1505; 87-1-230; 87-1-603; 87-1-621; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 17, Ch. 593, L. 2005, and sec. 1, Ch. 186, L. 2009, the inclusion of 15-31-906 terminates January 1, 2015; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 8, Ch. 330, L. 2009, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 14, Ch. 374, L. 2009, the inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 8, Ch. 427, L. 2009, the inclusion of 87-1-230 terminates June 30, 2013; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331 terminates June 30, 2019; pursuant to sec. 47, Ch. 19, L. 2011, the inclusion of 87-1-621 terminates June 30, 2013; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30, 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; and pursuant to sec. 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017.)"

Insert: "NEW SECTION. **Section 7. Codification instruction.** (1) [Section 2] is intended to be codified as an integral part of Title 53, and the provisions of Title 53 apply to [section 2].

(2) [Section 3] is intended to be codified as an integral part of Title 50, and the provisions of Title 50 apply to [section 3].

(3) [Section 4] is intended to be codified as an integral part of Title 2, chapter 15, part 2, and the provisions of Title 2, chapter 15, part 2, apply to [section 4].

(4) [Section 5] is intended to be codified as an integral part of Title 39, and the provisions of Title 39 apply to [section 5]."

Insert: "NEW SECTION. **Section 8. Coordination instruction.** If House Bill No. 2 is passed and approved, the conditional language on page B-8, lines 9 through 11, of the reference copy must read as follows:

(1) Subject to subsection (2), \$60 million is unrestricted for use in programs

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administered by the department, and Medicaid Services -- Developmental Services, Medicaid Services -- Health Resources, Medicaid Services -- Senior and Long-Term Care, and Medicaid Services -- Addictive and Mental Disorders may be used only to pay for medicaid services for existing eligible medicaid enrollees for expenses recorded as benefits and claims in the state accounting system and may not be transferred to other uses in the department.

(2) The funds in subsection (1) may not be used to expand the medicaid program as allowed under Public Law 111-148 and Public Law 111-152 to newly eligible populations as defined in NFIB v. Sebelius, 132 S. Ct. 2566 (2012)."

Renumber: subsequent section

4. Page 1, following line 14.

Insert: "NEW SECTION. **Section 10. Termination date.** [This act] terminates June 30, 2015."

Amendment adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Greef, Gursky, Hagan, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 76

Nays: Ballance, J. Bennett, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Hagstrom, Hansen, Harris, Hertz, Jones, Kary, Kerns, McNiven, O'Neil, Randall, Redfield, Regier, Wagoner, Warburton, White, Zolnikov.

Total 24

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 410 - Representative Ankney moved **SB 410**, as amended, be concurred in. Motion carried as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Greef, Gursky,

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Hagan, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 71

Nays: Ballance, J. Bennett, Blyton, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Hagstrom, Hansen, Harris, Howard, Jones, Kary, Kerns, Laszloffy, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Wagoner, Warburton, White, Zolnikov.

Total 29

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 28 - Governor's Amendments - Representative C. Smith moved Governor's amendments to **SB 28** be concurred in. Motion carried as follows:

Yeas: Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 92

Nays: Ankney, J. Bennett, Berry, Brodehl, Harris, Kerns, Shaw, Welborn.

Total 8

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 348 - Free Conference Committee Report No. 1 - Representative Salomon moved the Free Conference Committee report to **SB 348** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 81

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Flynn, Glimm, Hansen, Harris, Ingraham, Kerns, Lang, Randall, Redfield, Schwaderer, Warburton, Welborn, White, Zolnikov.

Total 19

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion Carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Wagoner moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer,

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Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton,
Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 99

Nays: Harris.
Total 1

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Representative Schwaderer moved to override the Governor's Veto on **HB 522**.

Motion **failed** as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell,
Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef,
Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard,
Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore,
O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, Reichner, Salomon,
Schwaderer, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, Welborn, White,
Wilson, Woods, Zolnikov, Mr. Speaker.
Total 64

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill,
Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney,
McClafferty, McNally, Mehlhoff, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price,
Schreiner, Shaw, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer.
Total 35

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: Neill.
Total 1

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Representative Flynn moved to override the Governor's Veto on **HB 162**.

Motion **failed** as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan,

Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 38

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Neill.

Total 1

Majority Leader Vance moved the House accede to the request of the Senate and appoint a Conference Committee on **SB 348**. Motion Carried. Speaker Blasdel appointed:

4/23/2013

Representative Salomon, Vice Chair

Representative Blyton

Representative McClafferty

UNFINISHED BUSINESS

Chief Clerk Grovom read a message from Jennifer Simmons, Financial Services Manager, providing the Legislator's final Per Diem and Payroll information.

SPECIAL ORDERS OF THE DAY

Representative Pease-Lopez introduced Representative Connell who played the piano for the House.

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ANNOUNCEMENTS

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 9:00 a.m., Wednesday, April 24, 2013. Motion carried.

House adjourned at 11:10 p.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

**HOUSE JOURNAL
63RD LEGISLATURE
EIGHTY-SEVENTH LEGISLATIVE DAY**

Helena, Montana
April 24, 2013

House Chambers
State Capitol

House convened at 9:00 a.m. Mr. Speaker presiding. Invocation by Representative Glimm. Pledge of Allegiance to the Flag.

Roll Call. All members present. Quorum present.

BILLS (O'Hara, Chair):

4/24/2013

Correctly enrolled: **HB 359, HB 385, HB 562, HB 633, HR 97, HR 120, HR 129, HR 218, HR 240, HR 265, HR 274, HR 431, HR 473, HJR 25, HJR 26, HJR 30.**

Transmitted to the Senate: **SB 81, SB 410.**

Signed by the Speaker at 11:50 a.m., April 24, 2013: **HB 535.**

Signed by the Speaker at 2:30 p.m., April 24, 2013: **HB 106, HB 188.**

Signed by the Speaker at 3:00 p.m., April 24, 2013: **HB 100, HB 184, HB 262, HB 297, HB 345, HB 377.**

Signed by the Chief Clerk of the House at 3:30 p.m., April 24, 2013: **HB 100, HB 106, HB 184, HB 188, HB 262, HB 297, HB 345, HB 377, HB 535.**

LEGISLATIVE ADMINISTRATION (O'Hara, Chair):

4/25/2013

MR. SPEAKER:

We, your committee on Legislative Administration recommend that employment of the following pages of the House be ceased as of 9:00 a.m., Wednesday, April 24, 2013:

Jenna Rhoads, Bozeman
Josiah Laszloffy, Laurel
Meagan Duram, Eureka
Trestin Benson, Eureka
Madeline Scherting, Helena
Logan Stephens, Kalispell

Report Adopted.

REPORTS OF SELECT COMMITTEES

FREE CONFERENCE COMMITTEE

on **Senate Bill 96**

Report No. 001, April 24, 2013

Mr. President and Mr. Speaker:

We, your Free Conference Committee met and considered **Senate Bill 96** (reference copy -- salmon) and recommend this Free Conference Committee report be adopted.

And, recommend that **Senate Bill 96** (reference copy -- salmon) be amended as follows:

STATE INTERNET/BBS COPY

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1. Title, page 1, line 15.

Following: "REVENUE;"

Insert: "PROVIDING CONTINGENT INCREASES AND DECREASES TO APPROPRIATIONS;"

2. Page 8, line 7.

Strike: "\$10"

Insert: "\$6"

3. Page 8, line 10.

Strike: "\$10"

Insert: "\$6"

4. Page 8, line 23.

Strike: "\$250,000"

Insert: "\$100,000"

5. Page 11.

Following: line 3

Insert: "COORDINATION SECTION. Section 7. Coordination instruction. If both House Bill No. 2 and [this act] are passed and approved, then:

(1) the general fund appropriation for BASE Aid in House Bill No. 2 of \$580,680,837 is decreased by \$3,053,710 in fiscal year 2015; and

(2) the general fund appropriation for Reimbursement Block Grants in House Bill No. 2 of \$66,334,425 is increased by \$7,931,716 in fiscal year 2015."

Renumber: subsequent sections

For the Senate:

Tutvedt, Chair
Phillips
Thomas

For the House:

G. Bennett, Vice Chair
Lavin
McClafferty

MESSAGES FROM THE SENATE

House bill not concurred in and returned to the House:

4/23/2013

HB 284, introduced by Cook

House joint resolution not concurred in and returned to the House:

4/23/2013

HJR 21, introduced by Hansen

Conference Committee Report No.1 **not** adopted:

4/23/2013

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HB 277, introduced by McChesney
Conference Committee Report No.1 adopted: 4/23/2013

HB 100, introduced by Ehli
Conference Committee Report No.1 adopted: 4/23/2013

HB 184, introduced by Fiscus
Free Conference Committee Report No.1 adopted: 4/23/2013

HB 297, introduced by Howard
Free Conference Committee Report No.1 adopted: 4/23/2013

HB 345, introduced by C. Smith

FIRST READING AND COMMITMENT OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 639, introduced by Harris, referred to Education.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 120, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Curtis, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Hansen, Hertz, Hollandsworth, Hollenbaugh, Howard, Hunter, Ingraham, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Moore, Neill, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, Squires, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Nays: B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Dudik, Eck, Gursky, Halvorson, Harris, Hill, Hoven, Jacobson, Kerns, Knudsen, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Mehlhoff, Miller, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, C. Smith, Steenberg, Swanson, Vance, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 129 passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Hertz, Hill, Hollandsworth, Hollenbaugh, Hunter, Ingraham, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Price, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 61

Nays: Ballance, J. Bennett, Brodehl, Curtis, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Halvorson, Hansen, Harris, Hoven, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Miller, O'Neil, Osmundson, Pomnichowski, Randall, Redfield, Regier, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 218, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 93

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Nays: Ballance, Brodehl, Harris, Kerns, Pomnichowski, Redfield.

Total 6

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Lang.

Total 1

HB 240, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 265 passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Mr. Speaker.

Total 59

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Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov.

Total 41

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

HB 359, as amended by the Governor, passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov.

Total 70

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Lieser, MacDonald, McCarthy, McClafferty, Neill, O'Neil, Pease-Lopez, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 29

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: Mr. Speaker.

Total 1

HB 431, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jacobson, Jones, Kary,

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Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Zolnikov, Mr. Speaker.
Total 93

Nays: Boland, Coffin, Hunter, O'Neil, Pomnichowski, Squires, Woods.
Total 7

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 554, as amended by the Governor, passed as follows:

Yeas: Ankney, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 93

Nays: Ballance, Gibson, Harris, Hertz, Jones, Redfield, Zolnikov.
Total 7

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

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SB 28, as amended by the Governor, concurred in as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.
Total 92

Nays: J. Bennett, Berry, Brodehl, Greef, Harris, Kerns, O'Neil, Welborn.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 81 concurred in as follows:

Yeas: Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Connell, Cook, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov, Mr. Speaker.
Total 54

Nays: Ankney, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 45

Excused: None.
Total 0

Absent or not voting: Cuffe.
Total 1

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SB 96, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Zolnikov, Mr. Speaker.

Total 86

Nays: Brockie, Court, Curtis, Gursky, McCarthy, Neill, Pease-Lopez, Peppers, Pomnichowski, Price, Squires, Swanson, Wilson, Woods.

Total 14

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 148, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Squires, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

SB 282, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McChesney, McNiven, Mehlhoff, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 65

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McClafferty, McNally, Neill, Noonan,

Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 35

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 305, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

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Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 323, Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Bangerter, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz,

McNiven, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 56

Nays: Ballance, B. Bennett, J. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Ingraham, Jacobson, Kerns, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 44

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

SB 348, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson, Jones, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Regier,

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Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.
Total 79

Nays: J. Bennett, Brodehl, Doane, Flynn, Glimm, Harris, Howard, Ingraham, Kerns, Knudsen, Miller, O'Neil, Randall, Redfield, Schwaderer, Vance, Wagoner, Warburton, White, Zolnikov, Mr. Speaker.
Total 21

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 410 concurred in as follows:

Yeas: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Gibson, Greef, Gursky, Hagan, Halvorson, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Knudsen, Lang, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Moore, Neill, Noonan, O'Hara, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.
Total 68

Nays: Ballance, J. Bennett, Blyton, Doane, Edmunds, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Hagstrom, Hansen, Harris, Hertz, Howard, Jones, Kary, Kerns, Laszloffy, McNiven, Miller, O'Neil, Randall, Redfield, Regier, Schwaderer, C. Smith, Vance, Wagoner, Warburton, White, Zolnikov.
Total 32

Voted Absentee: None.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SJR 18, Free Conference Committee Report No. 1, adopted as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom,

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Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 39

Voted Absentee: None.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

MOTIONS

Representative Ankney moved the House Sine Die.

Representative Pierson made remarks.

Minority Leader Hunter made closing remarks.

Majority Leader Vance made closing remarks.

Representative Knudsen honored Speaker Blasdel with remarks and a plaque.

Speaker Blasdel made closing remarks.

House adjourned Sine Die for the 63rd Legislative Session of the House of Representatives at 9:50 a.m.

LINDSEY GROVOM
Chief Clerk of the House

MARK BLASDEL
Speaker of the House

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Helena, Montana
2013

House Chambers
State Capitol

BILLS (O'Hara, Chair):

4/25/2013

Correctly enrolled: **HB 206.**

Signed by the Speaker at 2:30 p.m., April 24, 2013: **HB 5.**

Signed by the Speaker at 10:10 a.m., April 25, 2013: **HB 97, HB 120, HB 129, HB 218, HB 240, HB 265, HB 431, HB 497.**

Signed by the Speaker at 2:45 p.m., April 25, 2013: **HB 206, HB 359, HB 385, HB 473, HB 562, HB 633, HJR 25, HJR 26, HJR 30.**

Signed by the Speaker at 3:45 p.m., April 25, 2013: **HB 274.**

Signed by the Chief Clerk of the House at 3:30 p.m., April 24, 2013: **HB 5.**

Signed by the Chief Clerk of the House at 11:00 a.m., April 25, 2013: **HB 97, HB 120, HB 129, HB 218, HB 240, HB 265, HB 431, HB 497.**

Signed by the Chief Clerk of the House at 2:30 p.m., April 25, 2013: **HB 206, HB 359, HB 385, HB 473, HB 562, HB 633, HJR 25, HJR 26, HJR 30.**

Signed by the Chief Clerk of the House at 3:50 p.m., April 25, 2013: **HB 274.**

Signed by the President at 10:30 a.m., April 25, 2013: **HB 2.**

Signed by the President at 11:00 a.m., April 25, 2013: **HB 6, HB 10, HB 11, HB 12, HB 13, HB 19, HB 39, HB 46, HB 48, HB 54, HB 76, HB 87, HB 100, HB 106, HB 131, HB 147, HB 184, HB 254, HB 464, HB 564.**

Signed by the President at 1:30 p.m., April 25, 2013: **HB 97, HB 120, HB 129, HB 188, HB 205, HB 218, HB 240, HB 262, HB 265, HB 297, HB 301, HB 345, HB 377, HB 395, HB 408, HB 414, HB 417, HB 431, HB 444, HB 447, HB 454, HB 457, HB 497, HB 535, HB 545, HB 555, HB 559, HB 593, HB 603, HB 604, HB 609, HB 625.**

Signed by the President at 3:30 p.m., April 25, 2013: **HB 206, HB 359, HB 385, HB 473, HB 562, HB 633, HJR 25, HJR 26, HJR 30.**

Delivered to the Governor for approval at 11:38 a.m., April 25, 2013: **HB 2.**

Delivered to the Governor for approval at 2:15 p.m., April 25, 2013: **HB 3, HB 4, HB 74, HB 354, HB 363, HB 403, HB 477, HB 478, HB 494, HB 499, HB 509, HB 524, HB 556, HB 580, HB 582, HB 583, HB 586, HB 588, HB 591, HB 607, HB 614, HB 626.**

Delivered to the Secretary of State at 12:45 p.m., April 25, 2013: **HB 521.**

BILLS (O'Hara, Chair):

4/26/2013

Signed by the President at 11:30 a.m., April 26, 2013: **HB 274.**

Delivered to the Governor for approval at 8:11 a.m., April 26, 2013: **HB 5, HB 6, HB 10, HB 11, HB 12, HB 13, HB 19, HB 39, HB 46, HB 48, HB 54, HB 76, HB 87, HB 97, HB 100, HB 106, HB 120, HB 129, HB 131, HB 147, HB 184, HB 188, HB 205, HB 206, HB 218, HB 240, HB 254, HB 262, HB 265, HB 297, HB 301, HB 345, HB 359, HB 377, HB 385,**

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HB 395, HB 408, HB 414, HB 417, HB 431, HB 444, HB 447, HB 454, HB 457, HB 464, HB 473, HB 497, HB 535, HB 545, HB 555, HB 559, HB 562, HB 564, HB 593, HB 603, HB 604, HB 609, HB 625, HB 633.

Delivered to the Governor for approval at 11:39 a.m., April 26, 2013: **HB 274.**

Delivered to the Secretary of State at 10:26 a.m., April 26, 2013: **HJR 25, HJR 26, HJR 30.**

MESSAGES FROM THE GOVERNOR

April 23, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Tuesday, April 23, I delivered House Bill 104 -Regier to the Secretary of State without signature. House Bill 104 is one of 20 bills passed on 3rd reading by the Senate on April 5, 2013. The manner in which these bills were passed may violate the Montana Constitution. While these bills may be subject to a legal challenge, their validity is a question for the judicial branch to ultimately decide. I am, therefore, allowing HB 104 to become law without my signature.

Sincerely,

STEVE BULLOCK
Governor

April 24, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Wednesday, April 24, I signed and delivered the following House bills to the Secretary of State:

House Bill 61 – Lynch
House Bill 86 – O’Hara
House Bill 116 – Eck
House Bill 118 – Eck
House Bill 258 – B. Smith

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House Bill 286 – Brockie
House Bill 313 – Schreiner
House Bill 320 – B. Bennett
House Bill 433 – O'Hara
House Bill 560 – Pierson
House Bill 605 - Schwaderer

Sincerely,

STEVE BULLOCK
Governor

April 25, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Thursday, April 25, I signed and delivered the following House bills to the Secretary of State:

House Bill 3 -Ankney
House Bill 4 -Ankney
House Bill 64 -Ingraham
House Bill 157 -Connell
House Bill 401 -Welborn
House Bill 533 -Cook
House Bill 630 -Williams

I have vetoed House Bill 145 -Harris, House Bill 239 -C. Smith and House Bill 392 -Doane.

I have returned House Bill 391 -J. Bennett and House Bill 544 -Reichner to the Secretary of State without signature.

Sincerely

STEVE BULLOCK
Governor

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April 25, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 145 (HB 145) "AN ACT PROVIDING FOR THE IMPLEMENTATION OF MONTANA'S FEDERAL MANDATES ACT; REVISING THE LEGISLATIVE DECLARATION; SPECIFYING CRITERIA FOR NOTICES OF ADMINISTRATIVE RULEMAKING IMPLEMENTING FEDERAL MANDATES; REQUIRING INTERIM COMMITTEES TO REVIEW AGENCIES' COMPLIANCE WITH THE FEDERAL MANDATES ACT; PROVIDING FOR INCLUSION IN THE STATE BUDGETING PROCESS OF CERTAIN INFORMATION AND RECOMMENDATIONS CONCERNING FEDERAL MANDATES; AMENDING SECTIONS 2-1-402, 2-1-405, 2-1-407, 2-1-408, 2-4-302, 5-5-215, AND 17-7-111, MCA; AND PROVIDING AN EFFECTIVE DATE.

HB 145 imposes new bureaucratic requirements on state government, including an additional reporting requirement to the Legislative Finance Committee; additional rulemaking requirements; additional Legislative Interim Committee reports; and the creation of additional government forms. HB 145 is redundant and unnecessary, creating new administrative burdens on agencies which will require the expenditure of scarce resources. Rather than increasing red tape, public resources are better used to increase efficiencies and substantively improve the effectiveness of state and federal programs.

For these reasons, I veto HB 145.

Sincerely,

STEVE BULLOCK
Governor

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April 25, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 239 (HB 239) "AN ACT REQUIRING A SCHOOL DISTRICT TO OBTAIN WRITTEN CONSENT FROM A PARENT OR GUARDIAN BEFORE INSTRUCTING STUDENTS IN HUMAN SEXUALITY EDUCATION; REQUIRING A SCHOOL DISTRICT TO INFORM A PARENT OR GUARDIAN WHEN EVENTS OR COURSES ON HUMAN SEXUALITY WILL BE HELD OR TAUGHT; PROHIBITING A SCHOOL DISTRICT FROM ALLOWING ANY ABORTION SERVICES PROVIDER TO OFFER MATERIALS OR INSTRUCTION AT A SCHOOL; AMENDING SECTION 20-5-103, MCA; AND PROVIDING AN EFFECTIVE DATE."

The framers of the Montana Constitution clearly - and wisely - vested supervision and control of our public schools in the Board of Public Education and locally elected boards of trustees. See Mont. Const. Art. X, §§ 8, 9(3). HB 239, if enacted, would improvidently intrude upon the constitutional authority of the Board of Public Education and local school boards. Further, the bill reflects an unfounded mistrust of local school board trustees, as well as the professional educators who serve the students in our public schools. If parents are concerned about matters relating to the education of their children, they can and should address those concerns with their local school board trustees and educators.

For these reasons, I veto HB 239.

Sincerely,
STEVE BULLOCK
Governor

April 25, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

As a father, a husband and a son, I believe that our elected officials should be working together to find ways to ensure all women in Montana have access to basic health care services, like

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mammograms and family planning services. Unfortunately, several measures this legislative session sought to do the opposite of that.

After much consideration I have decided to allow HB 391, which requires parental consent in the form of a notarized document for a young woman under the age of 18 to terminate a pregnancy, to become law without my signature.

As was pointed out in the legal review note prepared by the Legislature's attorneys, this measure raises significant constitutional issues. Specifically, it violates Montana's constitutional guarantees of equal protection and privacy. I have an obligation not to allow unconstitutional pieces of legislation to become law.

However, because the Legislature also passed a companion referendum bill which places the Parental Consent Act on the ballot, if I veto HB 391 I will allow a likely unconstitutional referendum to be placed before the voters. I have been informed by groups who advocate for issues impacting women's health that they intend to bring a legal challenge to this unconstitutional measure.

Because of the complex and potentially harmful impacts of these bills, I have decided that the best way to protect women's health care would be to provide immediate access to our courts.

Sincerely,

STEVE BULLOCK
Governor

April 25, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 392 (HB 392), AN ACT ALLOWING FOR THE EXCAVATION AND SALE OF PALEONTOLOGICAL REMAINS FROM MAKOSHIKA STATE PARK TO BENEFIT THE PARK; GRANTING RULEMAKING AUTHORITY; AMENDING SECTIONS 22-3-432 AND 23-1-102, MCA; AND PROVIDING A TERMINATION DATE."

HB 392 would allow for the excavation and sale of paleontological remains from Makoshika State Park for the purpose of generating revenue to benefit the park. The act does not mandate this activity, but leaves it to the discretion of the Fish, Wildlife and Parks Commission, and authorizes the Commission to adopt rules.

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HB 392 sets a terrible precedent for the management of our state parks. Montana has never allowed the sale of our paleontological remains. The paleontological remains at Makoshika State Park are a treasure for all Montanans to enjoy, now and for future generations. To allow the remains to be sold off ignores our obligation and responsibility to protect our state's history and manage our state parks in a thoughtful manner. To use the proceeds from the sales to benefit the park does not convince me otherwise, since funding the park should not require the sale of the very assets that make the park a unique, historic place.

For these reasons, I veto HB 392.

Sincerely,

STEVE BULLOCK
Governor

April 26, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Friday, April 26, I signed and delivered the following House bills to the Secretary of State:

House Bill 16 - Hill
House Bill 233 - Lavin
House Bill 259 - Hunter
House Bill 355 - Clark
House Bill 415 - Hagan
House Bill 442 - Randall
House Bill 498 - Hill
House Bill 575 - Berry

I have signed HB 15 into law with the exception of Sections 1, 2 and 3, which I have line-item vetoed.

I have vetoed House Bill 171 - C. Smith and line-item vetoed House Bill 15 - McClafferty.

I have returned House Bill 310 - C. Smith to the Secretary of State without signature.

Sincerely,
STEVE BULLOCK
Governor

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April 26, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby return to you House Bill 15 (HB 15) "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR FINANCIAL ASSISTANCE TO PUBLIC SCHOOL FACILITY PROJECTS THROUGH THE QUALITY SCHOOLS FACILITY GRANT PROGRAM; AUTHORIZING GRANTS FROM THE SCHOOL FACILITY AND TECHNOLOGY STATE SPECIAL REVENUE ACCOUNT; PLACING CONDITIONS UPON GRANTS AND FUNDS; REVISING PRIORITIZATION OF DISTRIBUTIONS MADE FROM THE SCHOOL FACILITY AND TECHNOLOGY ACCOUNT; ALLOWING FOR CERTAIN ADMINISTRATIVE COSTS TO BE PAID FROM THE ACCOUNT; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR EMERGENCY GRANTS; APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR PLANNING GRANTS; ESTABLISHING A PREFERENCE FOR CERTAIN PROJECTS; TRANSFERRING FUNDS FROM THE ORPHAN SHARE ACCOUNT; AMENDING SECTIONS 20-9-343, 20-9-516, 20-9-620, 20-9-802, AND 20-9-811, MCA; AND PROVIDING AN EFFECTIVE DATE," which, excepting three line-item vetoes, I have signed into law.

HB 15, an appropriations bill which is introduced every legislative session, facilitates grants to local schools through the Quality Schools Facility Grant Program located in the Department of Commerce.

This session, however, the Legislature expanded HB 15 to include "riders" which make substantive law changes unrelated to this appropriation bill. The riders were originally part of a separate bill, HB 577, which died in committee. After the demise of HB 577, this language was subsequently added into HB 15 as sections 1, 2 and 3.

As Governor, I may line-item veto the following items in an appropriations bill: (1) a specific appropriation contained in the bill; (2) a condition that limits the use to which an appropriation may be put but only if the appropriation to which it is attached is vetoed as well; and (3) a rider. The language from HB 577 is a substantive piece of separate legislation, which has no bearing on the appropriations contained in HB 15 for this biennium. Therefore, under *Cobb v. Schweitzer*, 2006 Mont. Dist. LEXIS 257 and *Cobb v. Schweitzer*, 2006 Mont. Dist. LEXIS 892, these provisions are subject to line-item veto.

I am striking these rider provisions because they have no place in HB 15, and because they unreasonably limit the discretion of local schools and the Department of Commerce in determining how these funds are most effectively put to use. If members of the 2015 Legislature deem it necessary to change the priorities of the program, they may strike those grants they find undesirable.

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For these reasons, I sign HB 15 into law with the exception of sections 1, 2, and 3.

Sincerely,

STEVE BULLOCK
Governor

April 26, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 171 (HB 171), "AN ACT REQUIRING PREPAYMENT AND POST PAYMENT REVIEWS AND ANALYSES OF PROVIDER INFORMATION AND CLAIMS INVOLVING THE MEDICAID PROGRAM AND HEALTHY MONTANA KIDS PLAN IN ORDER TO PREVENT AND REDUCE FRAUD, WASTE, AND ABUSE; REQUIRING THE USE OF PREDICTIVE MODELING AND ANALYTICS TO IDENTIFY POTENTIAL FRAUD AND ABUSE; REQUIRING THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES TO CONTRACT FOR SERVICES; AND PROVIDING AN EFFECTIVE DATE."

HB 171 requires the Department of Public Health and Human Services (DPHHS) to enter into a contract to help detect fraud and abuse in the Medicaid and Healthy Montana Kids (HMK) programs. The DPHHS understands the importance of detecting waste, fraud and overpayment and is already involved in providing this protection.

The current Medicaid Management Information System (MMIS) already incorporates analytics technology tools for detecting waste, fraud, abuse and overpayment of claims outlined in HB 171 and such tools will also be available under the new Medicaid Health Enterprise MMIS. HB 171 would duplicate these efforts and their costs.

In December 2012, Montana, along with other states, competitively entered into a contract with Health Management Services (HMS) to fulfill the Affordable Care Act requirement that a state contract with a Recovery Audit Contractor (RAC). The HMS reviews Medicaid cases for both adults and children and the scope of its review can be expanded to include Children's Health Insurance Program (CHIP) cases under HMK. Under its contract with the department, HMS will analyze health care claims and identify aberrant billing of services by using analytics and technology based on historical data and algorithms.

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The HMS contract is a contingency fee contract, that is, the department does not pay HMS for services until the department collects funds on identified overpayment, fraud, or abuse cases. If HMS is not the contractor chosen under the provisions of HB 171, and a different contractor is chosen to fulfill an identical purpose, the department may be subject to legal claims for tortious interference with the prior HMS contract. Engaging a contractor other than HMS under HB 171, with an identical purpose, would not only be duplicative and costly, but could result in each contractor reaching different conclusions as to whether waste, fraud, abuse or overpayment exists in any specific claim, which would leave the department in an untenable legal position.

The provisions of this bill are already being implemented and nothing more would be added with this bill. Therefore, I veto HB 171.

Sincerely,

STEVE BULLOCK
Governor

April 30, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena. MT 59620
Dear Speaker Blasdel:

On Tuesday, April 30, I signed and delivered the following House bills to the Secretary of State:

House Bill 39 - McChesney
House Bill 46 - Ingraham
House Bill 48 - McChesney
House Bill 74 - MacDonald
House Bill 76 - Pease-Lopez
House Bill 87 - Welborn
House Bill 106 - Connell
House Bill 120 - Ingraham
House Bill 131 - Gursky
House Bill 147 - Redfield
House Bill 206 - Flynn
House Bill 254 - Cook
House Bill 274 - Greef
House Bill 359 - Fitzpatrick

House Bill 431 - Knudsen
House Bill 444 - Jacobson
House Bill 457 - Price
House Bill 494 - Glimm
House Bill 545 - Reichner
House Bill 555 - Hill
House Bill 562 - Swanson
House Bill 580 - Connell
House Bill 583 - Cook
House Bill 586 - Cuffe
House Bill 588 - Harris
House Bill 591 - Osmundson
House Bill 593 - Wagoner
House Bill 607 - Lavin

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House Bill 385 - Lavin
House Bill 403 - Hill

House Bill 614 - Berry

Sincerely,

STEVE BULLOCK
Governor

May 1, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Wednesday, May 1, I signed and delivered the following House bills to the Secretary of State:

House Bill 8 - Cook
House Bill 54 - Ingraham
House Bill 129 - Gibson
House Bill 354 - Connell
House Bill 395 - Wagoner
House Bill 414 - Hoven
House Bill 417 - Flynn
House Bill 447 - Peppers
House Bill 464 - Clark
House Bill 478 - Laszloffy
House Bill 524 - Clark
House Bill 626 - Osmundson

Sincerely,

STEVE BULLOCK
Governor

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May 3, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Friday, May 3, I signed House Bill 2 -Ankney into law with the exception of those items which I have line-item vetoed.

I have vetoed the following House Bills:

House Bill 217 - Howard
House Bill 225 - C. Smith
House Bill 363 - Berry
House Bill 499 - Hill
House Bill 509 - Regier
House Bill 556 - Cuffe
House Bill 582 - Hertz

These bills and veto messages have been delivered to the Secretary of State.

Sincerely,

STEVE BULLOCK
Governor

May 3, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby deliver to you House Bill (HB 2), "AN ACT APPROPRIATING MONEY TO VARIOUS STATE AGENCIES FOR THE BIENNIUM ENDING JUNE 30, 2015; AND PROVIDING AN EFFECTIVE DATE" which, except for line-item vetoes, I have signed into law.

Montanans expect their elected officials to be responsible stewards of taxpayer money. To that end, I set three goals in developing my proposed Executive Budget and asked the same of the Legislature. First, we must maintain a healthy savings account to weather any unexpected

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economic downturn. Second, we cannot spend more than we take in and must maintain structural balance. Finally, I asked that essential services be funded and long-term liabilities fixed before creating new programs or new tax expenditures.

Unfortunately, the Legislature did not meet all of those markers. Therefore, I submit line item vetoes of HB 2, the General Appropriations Act, in order to reduce spending, eliminate new programs or payments that we simply cannot afford, or fix technical errors which would ultimately cost the taxpayers of Montana.

Below is a summary of my line-item vetoes with page and line numbers indicated for the reference copy of the bill. I respectfully request that you sustain my vetoes and bring the budget back into structural balance and reduce spending to more sustainable levels.

Secretary of State

- Page A-3, Lines 14-18, Lines 21-22 and Line 27; Page A-4, Line 1: In accordance with 17-8101, MCA, these funds do not need to be appropriated and have not been appropriated since the late 1990s. This appropriation is redundant and unnecessary and therefore I remove it from the bill.

Department of Revenue

- Page A-7, Lines 23-24: These funds are appropriated for the Department of Revenue to conduct a review of active exempt property records. No bill was passed to conduct this study and no hearing was held on its implementation. The services provided by the many Montana non-profits organizations, from hospitals to YMCAs, are critical to the people of our State.

Department of Administration

- Page A-9, Lines 16-19: The state contribution toward the employee benefit plan is statutorily established in 2-18-703, MCA, and is routinely reviewed in House Bill 13 (HB 13) by the Legislature. In accordance with 2-18-812(1), MCA, the plan must be actuarially sound and is audited by the Legislative Audit Division. The language contained on Page R-5, Lines 25-26 and Page R-6, Lines 1-3 is sufficient to meet the requirements of 2-18-812(4), MCA, therefore making this appropriation unnecessary and redundant.

Department of Labor and Industry

- Page A-12, Lines 4-5: Due to the failure of House Bill 627, this appropriation is not valid and should be eliminated.

Department of Military Affairs

- Page A-13, Lines 21-22: "ChalleNGe Recruitment and Retention" provides a \$450,000 increase above that funded in HB 13. Given the Legislature's reservations about broadband pay adjustments and my commitment to treat employees fairly within existing budgets, we will utilize the State Pay

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Plan to implement a pay raise for employees of the Montana Youth Challenge program.
Department of Public Health and Human Services

- Page B-1, Lines 21-22; Page B-2, Lines 26-27; and Page B-3, Line 1: This appropriation provides \$1,000 for the Department of Public Health and Human Services (DPHHS) to report to legislative committees on the policies and procedures developed for the implementation of House Bill 131 and Senate Bill 65. These funds are unnecessary. My agencies have already improved communications with the Legislature and will continue to provide information as necessary and appropriate.
- Page B-6, Lines 24-25; Page B-9, Lines 8-9: My administration proposed and supported a 2 percent provider rate increase for DPHHS and Department of Corrections contractors. This was a fair and reasonable increase. Given the need to return the budget to structural balance and the Legislature's failure to meet my ending fund requirements, I cannot support additional provider rate increases to only one class of providers that is above the fair and equitable 2 percent per year raise.
- Page B-7, Lines 12-13: "One-Time Mental Health Crisis Jail Diversion Services" took money from the Montana Chemical Dependency Center. These funds should remain with the originating facility, program and clients. Eliminating this one-time only appropriation still leaves over \$200,000 per year in ongoing new funding for this critical program of mental health crisis jail diversion.
Secretary McCulloch May 3, 2013 Page 3

Fish, Wildlife and Parks

- Page C-1, Lines 13-14; Page C-3, Lines 3-5: This appropriation provides \$1,000 for FWP to report to legislative committees on the maintenance of fishing access sites. These funds are unnecessary. My agencies have already improved communications with the Legislature and will continue to provide information as necessary and appropriate.
- Page C-1, Lines 17-18; Page C-3, Lines 6-7: "Warden Salary Adjustment" provides funds for a 5.82 percent increase above that funded in HB 13. Given the Legislature's reservations about broadband pay adjustments and my commitment to treat employees fairly within existing budgets, we will utilize the State Pay Plan to implement a pay raise for game wardens. We will also review the current market analysis methodology for comparable employees and their pay.

Department of Livestock

- Page C-7, Lines 7-8: The funding source for the appropriation for "Predator Control of Grizzly Bear" is the coal bed methane protection account. According to 76-15-904, MCA, these funds may only be used to "compensate landowners and water right holders for damages attributable to coal bed methane development." Therefore, allowing this appropriation to remain would violate 76-15-904, MCA, and is an inappropriate use of these funds.

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Department of Natural Resources and Conservation

- Page C-8, Lines 26-27: This \$1.4 million addition to the Board of Oil and Gas Conservation is meant to fund educational and research activities of the board. The 2011 Legislature appropriated \$1.5 million for the 2013 biennium for the same purpose. Only \$83,490 of these funds were spent in fiscal year 2012 and that amount is included in the board's budget. Given that the additional funds were not included in the Executive Budget and the board's budget already includes over \$80,000 for this purpose, additional funding is not necessary.
- Page C-9, Lines 11-12: "Board of Oil and Gas Inspectors Personal Services" provides \$200,000 for salary increases above that funded in HB 13. Given the Legislature's reservations about broadband pay adjustments and my commitment to treat employees fairly within existing budgets, we will utilize the State Pay Plan to implement a pay raise for inspectors.
- Page C-10, Lines 6-7: The funding source for the appropriation for Montana Rural Water Systems is the Board of Oil and Gas administration fund. According to 82-11-135, MCA, these funds may only be used for "paying all expenses of the board and for no other purpose." Therefore, allowing this appropriation to remain would violate 82-11-135, MCA, and this is an inappropriate use of these funds.

Montana University System

- Page E-8, Lines 26-27: This \$250,000 appropriation is in addition to the increase of \$1,540,000 in funds for the Agriculture Experiment Station (AES) appropriated by the Legislature above my original budget proposal. If this funding is a priority, the AES has more than sufficient appropriation authority to cover these expenses. Given the current status of the budget and the Legislature's failure to meet my minimum ending fund balance requirements, I cannot support this additional earmark.
- Page E-9, Lines 3-4: This \$400,000 appropriation is in addition to the increase of \$600,000 in funds for the Extension Service appropriated by the Legislature above my original budget proposal. If this funding is a priority, the Extension Service has more than sufficient appropriation authority to cover these expenses. Given the need to return the budget to structural balance and the Legislature's failure to meet my ending fund requirements, I cannot support this additional earmark. For these reasons, I sign HB 2 into law with the exception of the foregoing line-item vetoes.

Sincerely,

STEVE BULLOCK
Governor

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May 3, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 217 (HB 217), "AN ACT GENERALLY REVISING CAMPAIGN FINANCE LAWS; REVISING REPORTING REQUIREMENTS APPLICABLE TO RELIGIOUS ORGANIZATIONS IN ISSUE AND BALLOT ISSUE CAMPAIGNS TO CONFORM WITH COURT DECISIONS PROTECTING THE FREE EXERCISE OF RELIGION AS GUARANTEED BY THE FIRST AMENDMENT OF THE UNITED STATES CONSTITUTION AND ARTICLE II, SECTION 5, OF THE MONTANA CONSTITUTION; REVISING DEFINITIONS RELATED TO CONTRIBUTIONS AND EXPENDITURES; AMENDING SECTION 13-1-101, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 217 exempts 501 (c)(3) religious organizations from regulation under Montana's campaign practices statutes, if compliance with those regulations would burden the organization's religious beliefs and practices. The bill opens a pathway for dark money organizations to influence ballot issue campaigns without any regulation or transparency, and does not take care of the problem at issue in the Canyon Ferry v. Unsworth, 556 F.3d 1021 (9th Cir. 2009) case. Further, the bill may mislead bonafide churches or other organizations into believing they can support or oppose candidates or ballot issues in Montana without complying with the restrictions imposed by their 501 (c)(3) nonprofit status under federal law. HB 217 acts as an invitation to dark money groups and a legal trap for bonafide churches and other organizations.

I had proposed amendments that would have resolved the problem set out in the Canyon Ferry decision and ensure that groups seeking to influence our elections disclose certain information concerning their activities in Montana - an issue that a majority in both houses supported. Unfortunately, the legislative leadership refused to schedule a vote on my amendments and prevented any opportunity for the Senate or House to do what the people of Montana have asked them to do - shine a light on dark money.

For these reasons, I veto HB 217.

Sincerely,

STEVE BULLOCK
Governor

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May 3, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bi1I225 (HB 225), "AN ACT REVISING THE INTEREST THAT MA Y BE A WARDED ON CIVIL JUDGMENTS; AMENDING SECTIONS 25-9-205 AND 27-1210, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

Montana statute establishes interest payments on judgments in civil cases at 10 percent. HB 225 would create a two-tiered system that would treat judgments for injury to person or property differently than other civil judgments. It would also create a fluctuating interest rate based on the prime rate published by the Federal Reserve System on the date of the Judgment.

I proposed amendments to address the inequities in this bill that struck a reasonable balance between competing interests and ensured that there was not a disparity between different types of judgments. Unfortunately, the Legislature rejected those amendments.

Therefore, I now veto HB 225.

Sincerely,

STEVE BULLOCK
Governor

May 3, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 363 (HB 363), "AN ACT GENERALLY REVISING LAWS RELATED TO THE BOARD OF REALTY REGULATION; ALLOWING THE BOARD TO HIRE ITS OWN STAFF; AMENDING SECTIONS 2-15-1757 AND 37-51-209, MCA; AND PROVIDING AN EFFECTIVE DATE."

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As I have previously stated, finding ways to provide a more effective government for Montana taxpayers is a top priority for my administration. I have asked Lieutenant Governor John Walsh to work with my Cabinet to find areas where we can improve the delivery of services to the public and reduce the costs associated with doing so. HB 363 is contrary to these efforts.

HB 363 creates an administrative structure for the Board of Realty Regulation (Board) that is unlike that of any other board in State government. Rather than taking advantage of already existing staff and resources in the Department of Labor and Industry (DLI), HB 363 would allow the Board to hire an executive director, legal counsel and any other staff it determines necessary. Pursuant to 37-1-134, MCA, statutorily created boards must set fees that are commensurate with their operating costs. To provide funding for the new positions created by HB 363, the Board would necessarily need to increase its fees.

I am committed to making sure that the DLI provides quality service to the various boards it serves. There are approximately 146 administratively attached boards in state government - I do not believe that carving out certain boards for special treatment and growing the size of government best serves the interests of the constituents these boards serve.

For these reasons, I veto HB 363.

Sincerely,

STEVE BULLOCK
Governor

May 1, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

I hereby sign into law House Bill 478 (HB 478) "AN ACT REVISING LAWS REGARDING TRAFFICKING OF PERSONS FOR COMMERCIAL SEXUAL ACTIVITY; REVISING PROSTITUTION LAWS; REVISING CERTAIN PENALTIES; ESTABLISHING THE OFFENSES OF SEXUAL SERVITUDE OF A CHILD AND PATRONIZING A CHILD; AMENDING SECTIONS 45-5-306, 45-5-601, 45-5-602, 45-5-603, 46-18-111, 46-18-201, 46-18-203, 46-18-205, 46-18-207, 46-18-222, 46-18-231, 46-23-502, AND 46-23-1011, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

HB 478 is an important new law which protects children. As Governor and as a parent, I strongly support this bill and sign it into law. I am submitting this statement to you to clarify the meaning of

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sections 6 and 7 of the bill. These two sections change existing Montana law with regard to the offense of "promoting prostitution." §§ 45-5-602-603, MCA. These sections establish that persons who promote prostitution are guilty of a crime under Montana law, and provide penalties. The intent of HB 478 in these sections is to enhance the penalties imposed upon those guilty of promoting the prostitution of children. As written, however, the enhanced penalties in these sections apply to "patrons" of children who have been forced into prostitution, rather than against those who have forced children into prostitution and who are profiting from that activity.

This is simply a drafting error and the intent of the law is clear. Sections 6 and 7 should be read as providing enhanced penalties against those who promote prostitution when the person engaging in prostitution is a child and patron is over 18 years of age.

Sincerely,

Steve Bullock
Governor

May 3, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 499 (HB 499), "AN ACT CLARIFYING CONVEYANCE EXEMPTIONS FROM SUBDIVISION REGULATIONS; AMENDING SECTION 76-3-204, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 499 is one of two bills that have been passed by the Legislature, meant to address a 2012 Attorney General's opinion concerning subdivisions for lease or rent on a single tract of record. Under current subdivision law, as interpreted by two district courts and followed by the Attorney General's opinion, if there is more than one existing building on a single tract of record, and that building is being leased or rented, the lease or rent of that building must undergo local subdivision review and approval pursuant to the provisions of Title 76, Part 3, MCA. HB 499 provides a "safe harbor" for these uses, where they have not undergone such review and approval, by modifying the language of 76-3-204, MCA. A second bill, SB 324, will repeal section 76-3-204, MCA, and provide a new review process for more than one building for lease or rent on a single tract of record. Under SB 324, up to three existing buildings for lease or rent on a single tract of record will be exempt from the new local review and approval process. However, HB 499 is effective on passage and approval, and SB 324 is effective September 1, 2013.

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If HB 499 were to become law, it would provide for the immediate legalization of an unlimited number of buildings on a tract of record that were being leased or rented in violation of existing law. Further, the immediate effective date of HB 499 would deprive local governments of the time necessary to finalize existing legal processes that are already in place to address existing violations of subdivision law, prior to the effective date of SB 324. SB 324 is compromise legislation supported by the numerous interest groups involved in the issue of subdivision for lease or rent, and the comprehensive provisions therein reflect two years of compromise and negotiation work between these interested parties. Allowing HB 499 to become law would negate the efforts of those groups who came together in supporting SB 324.

For these reasons, I veto HB 499.

Sincerely,

STEVE BULLOCK
Governor

May 3, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 509 (HB 509), "AN ACT GENERALLY REVISING 9-1-1 FEES; ESTABLISHING HOW 9-1-1 FEES ARE IMPOSED ON PREPAID WIRELESS SERVICES; ESTABLISHING A PROCESS FOR THE COLLECTION OF PREPAID WIRELESS 9-1-1 FEES; ALLOWING A SELLER OF PREPAID WIRELESS SERVICES TO DEDUCT AND RETAIN A PORTION OF THE FEES; DETERMINING HOW PREPAID WIRELESS 9-1-1 FEES ARE APPLIED TO THE BUDGET OF THE 9-1-1 PROGRAM; LIMITING LIABILITY FOR SELLERS THAT ENGAGE IN PREPAID WIRELESS TRANSACTIONS; AMENDING SECTIONS 10-4-101, 10-4-201, 10-4-203, 10-4-204, 10-4-205, 10-4-211, 10-4-212, 10-4-301, AND 10-4-313, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

Montana law imposes certain fees on users of telephone and wireless services to fund 911 services for the State. HB 509 would require Montana retailers to collect the 911 fee associated with the sale of prepaid wireless services. It shifts the responsibility to collect the 911 fee from the provider of prepaid wireless services to the retailers who offer these products for sale.

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By shifting the responsibility for collecting the 911 fee from major corporations to small businesses, HB 509 would adversely affect the drivers of our economy, Montana's Main Streets, by requiring these small businesses to invest in new equipment and additional reporting requirements to collect this tax.

Moreover, HB 509 essentially creates a general sales tax for a single product. If enacted, Montana would be the only state without a sales tax to adopt this model of collection. Montana voters have made their opposition to a sales tax clear and HB 509 runs contrary to their wishes.

For these reason, I am vetoing HB 509.

Sincerely,

STEVE BULLOCK
Governor

May 3, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 556 (HB 556), "AN ACT DELAYING THE REVERSION TO THE GENERAL FUND OF THE UNRESERVED FUND BALANCE OF THE STATE SPECIAL REVENUE FUND FOR PROVISION OF BASIC LIBRARY SERVICES AND FOR PAYMENT OF THE COSTS OF PARTICIPATING IN REGIONAL AND NATIONAL NETWORKING, CONSERVATION DISTRICTS, AND THE MONTANA GROWTH THROUGH AGRICULTURE ACT; AMENDING SECTION 15-35-108, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

The budget I proposed was balanced, left money in the bank for a rainy day, cut taxes for small businesses and homeowners, and maintained critical services. At the same time I laid out clear and basic expectations for the Legislature while considering the state budget. First, Montana's budget needs to be in structural balance -we cannot spend more than we take in. Second, to ensure sound fiscal management, the Legislature needs to maintain a reserve of \$300 million in ending fund balance. Finally, essential services and long-term liabilities must be addressed before the Legislature creates new programs or tax expenditures. The Legislature's action to date leave

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Montana with an insufficient ending fund balance and spends significantly more than current revenues allow according to the most recent analysis completed by the Legislative Fiscal Division. However well-intentioned HB 556 may be, we simply can't afford it.

Therefore, I veto HB 556.

Sincerely,

STEVE BULLOCK
Governor

May 3, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 582 (HB 582), "AN ACT GENERALLY REVISING LAWS RELATED TO THE BOARD OF PUBLIC ACCOUNTANTS; PROVIDING THAT THE BOARD MAY HIRE ITS OWN STAFF; AMENDING SECTION 2-15-1756, MCA; AND PROVIDING AN EFFECTIVE DATE."

As I have previously stated, finding ways to provide a more effective government for Montana taxpayers is a top priority for my administration. I have asked Lieutenant Governor John Walsh to work with my Cabinet to find areas where we can improve the delivery of services to the public and reduce the costs associated with doing so. HB 582 is contrary to these efforts.

HB 582 creates an administrative structure for the Board of Public Accountants (Board) that is unlike that of any other board in State government. Rather than taking advantage of already existing staff and resources in the Department of Labor and Industry (DLI), HB 582 would allow the Board to hire an executive director, legal counsel and any other staff it determines necessary. Pursuant to 37-1-134, MCA, statutorily created boards must set fees that are commensurate with their operating costs. To provide funding for the new positions created by HB 582, the Board would necessarily need to increase its fees.

I am committed to making sure that the DLI provides quality service to the various boards it serves. There are approximately 146 administratively attached boards in state government - I do not believe that carving out certain boards for special treatment and growing the size of government best serves the interests of the constituents these boards serve.

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For these reasons, I veto HB 582.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Mark Blasdel
Speaker of the House
State Capitol
Helena, MT 59620

Dear Speaker Blasdel:

On Monday, May 6, I signed the following House Bills and delivered them to the Secretary of State:

House Bill 6 - Cook	House Bill 345 - C. Smith
House Bill 10 - Pomnichowski	House Bill 377 - Woods
House Bill 11 - Gibson	House Bill 454 - McChesney
House Bill 13 - Swanson	House Bill 559 - Bangerter
House Bill 97 - Wilmer	House Bill 603 - Zolnikov
House Bill 262 - Hill	House Bill 609 - Connell

I signed House Bill 5 -Ankney into law with the exception of those items which I have line-item vetoed.

I have vetoed the following House Bills:

House Bill 12 - Pease-Lopez	House Bill 301 - Halvorson
House Bill 19 - Hollandsworth	House Bill 408 - Miller
House Bill 100 - Ehli	House Bill 473 - Reichner
House Bill 188 - Regier	House Bill 535 - G. Bennett
House Bill 205 - Kerns	House Bill 564 - Edmunds
House Bill 218 - Ankney	House Bill 604 - C. Smith
House Bill 240 - C. Smith	House Bill 625 - Ankney
House Bill 265 - Fitzpatrick	House Bill 633 - Ehli
House Bill 297 - Howard	

I have returned House Bill 477 - Berry and House Bill 554 - B. Smith to the Secretary of State without signature. House Bill 554 is one of 20 bills passed on 3rd reading by the Senate on April 5, 2013. The manner in which these bills were passed may violate the Montana Constitution.

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While these bills may be subject to a legal challenge, their validity is a question for the judicial branch to ultimately decide. I am, therefore, allowing HB 554 to become law without my signature.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby deliver to you House Bill 5 (HB 5) "AN ACT APPROPRIATING MONEY FOR CAPITAL PROJECTS FOR THE BIENNIUM ENDING JUNE 30, 2015; PROVIDING FOR OTHER MATTERS RELATING TO THE APPROPRIATIONS; PROVIDING FOR A TRANSFER OF FUNDS FROM THE STATE GENERAL FUND TO THE LONG-RANGE BUILDING PROGRAM ACCOUNT; PROVIDING RULEMAKING AUTHORITY; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE" which, except for one line-item veto, I have signed into law.

HB 5, an appropriations bill which is introduced every legislative session, provides money for capital projects, capital improvements, and land acquisitions, including the Habitat Montana Program (established by sections 87-1-241 and 87-1-242, MCA, and implemented through section 87-1-209, MCA).

The Habitat Montana program has been an extremely effective and popular program, using license dollars paid by hunters to secure important wildlife habitat. Pursuant to authorizing statutes, the Montana Department of Fish, Wildlife and Parks and the Fish, Wildlife and Parks Commission, with the approval of the Board of Land Commissioners, have acquired wildlife habitat by fee title, conservation easement, easement, and lease. While not without controversy, these acquisitions have generally served Montanans well, helping to preserve our world-famous wildlife heritage for future generations to enjoy.

Unfortunately, the Legislature has attempted to use HB 5 as a vehicle for unraveling this important statutory authority, by inserting a "rider" to make a substantive law change unrelated to this appropriations bill. Specifically, in Section 4(1) of HB 5, the Legislature has inserted the following limitation on the Habitat Montana program:

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When considering the acquisition of habitat in accordance with 87-1-241, the Department of Fish, Wildlife and Parks may consider only term agreements.

Remarkably, this language is directly at odds with the preceding sentence in Section 4(1), which authorizes the expenditure of funds for the full range of land acquisition options authorized by statute. Looking back at this legislative session, I can only conclude that attempting to pass such a limitation in a separate single-subject bill would have been extremely controversial and difficult. However, attempting to insert a rider to accomplish this same end is not only prohibited by statute (section 17-8-103(2), MCA) but is unconstitutional (Article V, Section 11(4)).

As Governor, I may line-item veto the following items in an appropriations bill: (1) a specific appropriation contained in the bill; (2) a condition that limits the use to which an appropriation may be put but only if the appropriation to which it is attached is vetoed as well; and (3) a rider. The language set forth above from Section 4(1) of HB 5 is a substantive piece of separate legislation, and has no bearing on the appropriations contained in HB 5 for this biennium. Therefore, under *Cobb v. Schweitzer*, 2006 Mont. Dist. LEXIS 257 and *Cobb v. Schweitzer*, 2006 Mont. Dist. LEXIS 892, this provision is subject to line-item veto.

For these reasons, I sign HB 5 into law with the exception of the second sentence of Section 4(1).

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 12 (HB 12) "AN ACT APPROPRIATING FUNDS FOR ONE-TIME PROVIDER RATE PAYMENTS; RESTRICTING USE OF FUNDS FOR PROVIDER PAYMENTS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

In 2010, former Governor Schweitzer was forced to implement provisions of the Budget Reduction Act (17-7-140, MCA), given the economic conditions of the time and their potential effects on projected ending fund balance. Providers, employees, state agencies, and others all absorbed these necessary statutory reductions at the time. None have sought to replace lost earnings, wages, jobs, or payments to date.

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HB 12, however, seeks to do just that. While state agencies and their contractors absorbed those necessary reductions and moved forward, a select group now seeks compensation for the unavoidable impacts of the downturn in the national economy. This additional one-time payment is in addition to the prospective 2 percent permanent provider rate increase each year of the biennium that I submitted and that was approved by the 63rd Legislature.

Furthermore, the implications of HB 12 are such that the State of Montana would be providing retroactive payments to providers for services already rendered. The different rates were established after extensive public hearings during the 2011 Legislature. Medicaid rates then went through the administrative rule process which included additional public notice and comment periods. After all of this, providers continued to provide services knowing what the compensation would be. HB 12 now seeks to provide a "bonus" for previously provided services despite the fact that the terms and conditions of these contracts have already been performed. This sets a dangerous precedent and infringes on the ability of the Executive to implement the state budget in a responsible and predictable way.

In addition to the fiscal considerations, HB 12 has implementation issues as well. The bill provides a one-time only provider rate increase that must be distributed to providers of medical care, mental health care, foster care, child care, long-term care and assistance with activities of daily living in state fiscal year 2013. The bill appropriates \$6,481,952 from the general fund and provides another \$12,700,000 in federal special revenue. In order to obtain the federal match for Medicaid providers, public and tribal notice would need to be given and state plans would need to be submitted and approved by the Centers on Medicare and Medicaid Services before June 30, 2013. Administrative rules would also need to be written for both Medicaid and non-Medicaid providers. The compressed time frame between now and the end of state fiscal year 2013 make it extremely unlikely that the Department of Public Health and Human Services can comply with the bill.

For these reasons, I veto HB 12.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 19 (HB 19), "AN ACT REVISING CERTAIN PROVISIONS RELATED TO THE ADMINISTRATION OF TAXES; AMENDING PROVISIONS FOR

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THE WAIVER OF INTEREST; REVISING THE UNIFORM PENALTY ASSESSMENTS ON DELINQUENT TAXES; PROVIDING THAT INTEREST ASSESSMENTS ON DELINQUENT INCOME TAXES ARE BASED ONLY ON THE FEDERAL UNDERPAYMENT RATE ASSESSED AGAINST INDIVIDUAL INCOME TAXPAYERS; PROVIDING THAT UNDERPAYMENT INTEREST ON ESTIMATED INDIVIDUAL INCOME TAXES IS NOT REQUIRED UNDER CERTAIN CONDITIONS; PROVIDING THAT THE PENAL TIES FOR SUBSTANTIAL UNDERSTATEMENT OF A TAX OR FOR FILING A FRAUDULENT OR FRIVOLOUS RETURN OR REPORT ARE SIMILAR TO FEDERAL PENAL TIES; CLARIFYING THE TAXATION OF FEDERAL INDIVIDUAL INCOME TAX REFUNDS; AMENDING SECTIONS 15-1-206, 15-1-216, 15-30-2110, 15-30-2341, AND 15-30-2512, MCA; AND PROVIDING EFFECTIVE DATES AND APPLICABILITY DATES."

HB 19 would change the way penalties and interest are levied against delinquent taxpayers. The intent of the bill is to give more discretion to the Department of Revenue in assessing penalties in the collection of delinquent taxes. While I appreciate the Legislature's willingness to consider ways to simplify and streamline Montana's tax system, in light of the Legislature's action on HB 2, the main budget bill for the state, we cannot afford the \$2.6 million cost associated with HB 19 over the biennium.

The budget I proposed was balanced, left money in the bank for a rainy day, cut taxes for small businesses and homeowners, and maintained critical services. At the same time I laid out clear and basic expectations for the Legislature while considering the state budget. First, Montana's budget needs to be in structural balance -we cannot spend more than we take in. Second, to ensure sound fiscal management, the Legislature needs to maintain a reserve of \$300 million in ending fund balance. Finally, essential services and long-term liabilities must be addressed before the Legislature creates new programs or, in this case, tax expenditures. However well-intentioned HB 19 may be, we simply cannot afford it.

For these reasons, I veto HB 19.
Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 100 (HB 100), "AN ACT CREATING A PILOT PROJECT TO REIMBURSE CERTAIN MEDICAID PROVIDERS BASED ON PERFORMANCE; CREATING A PAY-FOR-PERFORMANCE TASK FORCE; ESTABLISHING THE DUTIES OF THE

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TASK FORCE; PROVIDING FOR PUBLIC PARTICIPATION IN DEVELOPMENT OF A PAY-FOR-PERFORMANCE MODEL; REQUIRING DATA COLLECTION; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

HB 100 provides for the implementation of a pilot project for changes in the provider rates for certain Medicaid funded services and further provides for the establishment of an advisory council to provide direction in that effort. The bill is unnecessary in that the measures in the bill may be effectuated under existing state statutory authorities. The Department of Public Health and Human Services is proceeding under those existing authorities with studies and measures that will serve the purpose of this bill. This bill, in duplicating existing authorities and efforts, would not efficiently serve the public's interests in the services to be studied.

For these reasons, I veto HB 100.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 188 (HB 188), "AN ACT REQUIRING THE PUBLIC SERVICE COMMISSION TO APPROVE RATE SCHEDULES FOR CERTAIN SMALL POWER PRODUCERS; PROHIBITING THE COMMISSION FROM APPROVING RATE SCHEDULES FOR CERTAIN SMALL POWER PRODUCERS; ESTABLISHING CERTAIN PARAMETERS FOR LONG-TERM CONTRACTS BETWEEN SMALL POWER PRODUCTION FACILITIES AND UTILITIES; GRANTING THE COMMISSION RULEMAKING AUTHORITY; AMENDING SECTION 69-3-603, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES."

Under the Public Utility Regulatory Policies Act (PURP A), public utilities are required to purchase power from Qualifying Facilities (QFs) and the Montana Public Service Commission (PSC) sets terms and prices, subject to federal sideboards. HB 188 springs from a PSC Administrative Order that set prices, terms and conditions for QFs. The PSC, with the benefit of its highly professional staff of experts, went through months of technical review, days of hearing, months of deliberations, and now lengthy post-order proceedings. In contrast, the legislative process has dedicated perhaps a few hours of time to this matter over 90 days, and in the midst of crafting a state budget and considering more than 1,000 other legislative proposals.

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Since HB 188 was introduced, the PSC has engaged in additional proceedings to specifically act on part of its prior Order that the proponents of HB 188 found so offensive (issuing a stay of the QF purchase cap). Further, the PSC has signaled its intent to engage in additional proceedings and take further action to address the issues raised by HB 188 and make adjustments.

I note that judicial action has also been filed against the PSC and its Order and that action is pending. Other parties are also threatening litigation, not only against HB 188 should it pass, but against the PSC for its recent action in addressing the purchase cap, claiming both violate federal law.

It is not a bright line to decide when a matter is best left to an executive branch agency's expertise and when the Legislature should intervene to set broader policy, but in this case I conclude that this matter is better left to the PSC and its expertise, particularly because the PSC is still actively engaged in the issues addressed by HB 188.

Had this legislation come to me in time, I would have considered amending HB 188 to include a sunset to give the PSC and various parties an opportunity to engage in additional proceedings and conclude their litigation. Unfortunately, the Legislature held this bill for a week and did not send it to me until after adjournment, precluding any amendments.

For these reasons, I veto HB 188.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto HB 205, "AN ACT ELIMINATING A STATE LIMITATION ON THE USE OF SOUND REDUCTION DEVICES ON FIREARMS; AMENDING SECTIONS 87-1-201, 87-1-301, AND 87-6-401, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 205 would allow the use of suppressed weapons while hunting. This use of suppressed weapons was proposed in the 2009 and 2011 Montana legislative sessions. In both sessions, the legislation was defeated. On March 28, 2013, I vetoed HB 27, which would have allowed for the use of suppressed weapons for wolf hunting. Now I affirm that I do not see the need for suppressed

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weapons for hunting. I believe most Montanans agree.

Most hunters are very concerned about the future of hunting in Montana. They know how important it is to conduct themselves in a responsible and ethical manner, through reverence for game animals, practicing fair chase hunting, and close attention to maintaining a positive and respectful public image. Hunting with suppressed weapons adds nothing positive to the hunt, but serves to bolster anti-hunters' efforts to portray hunting in a poor light.

From a law enforcement perspective, suppressors represent a challenge to peace officers as they attempt to ensure compliance with both state law and rules set out by property owners. Enforcing fish and game laws is a demanding job. We should not make a game warden's job that much more difficult by allowing a situation in which he or she cannot readily identify or locate the full sound of gun shots in the field because of the use of a suppressed weapon by an individual who could have less than lawful intentions.

Property owners across Montana deserve the same consideration, as they endeavor to be good neighbors by allowing hunters access to their land. I believe most landowners prefer to hear the full report of a firearm when hunters or others are on or near their property.

For these reasons, and with the protection of Montana's hunting heritage in mind, I veto HB 205.

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 219 (HB 218), "AN ACT AUTHORIZING THE DEPARTMENT OF COMMERCE TO ISSUE GRANTS TO ASSIST LOCAL GOVERNMENTS WITH INFRASTRUCTURE AND OTHER NEEDS AS A RESULT OF OIL AND GAS IMPACTS; PROVIDING FOR ADMINISTRATION OF THE PROGRAM THROUGH THE DEPARTMENT OF COMMERCE; ESTABLISHING PRIORITIES AND CRITERIA FOR AWARDING GRANTS; GRANTING RULEMAKING AUTHORITY; ESTABLISHING AN OIL AND GAS IMPACT ACCOUNT; PROVIDING AN APPROPRIATION AND A STATUTORY APPROPRIATION; ALLOCATING FEDERAL MINERAL LEASING REVENUE; TRANSFERRING MONEY FROM THE GENERAL FUND TO THE OIL AND GAS IMPACT ACCOUNT; AMENDING SECTIONS 17-3-240 AND 17-7-502, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND TERMINATION DATES."

HB 218 is excessive and duplicative. House Bill 11 currently allocates over \$15 million in

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infrastructure assistance to oil and gas producing cities and counties. House Bill S allocates and fully funds the State of Montana's share of the two remaining regional water system projects, both of which serve oil and gas producing cities and counties. Senate Bill 175 allocates additional funds to Eastern Montana schools. These funds, collectively, represent over \$40 million in infrastructure funds and other impact funds in this biennium alone.

As Governor of the State of Montana, I will continue to ensure that we create jobs, improve our schools and have a more effective government. The more than \$40 million in funds already allocated this biennium for infrastructure projects and other needs in Eastern Montana supports these goals, while maintaining the structural balance needed in budgeting.

For these reasons, I veto HB 218.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 240 (HB 240), "AN ACT GENERALLY AFFIRMING AN INDIVIDUAL'S CONSTITUTIONAL GUARANTEES; CREATING THE HIGHER EDUCATION RIGHTS RESTORATION ACT; PROHIBITING THE BOARD OF REGENTS AND UNIVERSITY SYSTEM EMPLOYEES FROM INFRINGING ON AN INDIVIDUAL'S CONSTITUTIONAL RIGHTS; PROHIBITING THE BOARD OF REGENTS AND UNITS OF THE UNIVERSITY SYSTEM FROM REGULATING OR RESTRICTING THE POSSESSION OF FIREARMS ON UNIVERSITY PROPERTY WITH CERTAIN EXCEPTIONS; ALLOWING THE AWARD OF TREBLE DAMAGES FOR CERTAIN VIOLATIONS; AMENDING SECTIONS 453-111 AND 45-8-351, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

HB 240 provides that "the board of regents and units of the university system may not regulate or restrict the possession, transportation, or storage of firearms upon or within university property" by a person who has been issued a concealed weapon permit. The bill would allow students to openly carry weapons on campus and if a university "diminished" that right in any way they could be subject to treble damages.

I have been and will continue to be a strong advocate for the second amendment rights of the citizens of Montana. I am, however, also an advocate of common sense. And I believe that

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common sense dictates that guns and college campuses do not mix.

The U.S. Constitution does not require me to find otherwise. In fact, I fully agreed with and joined a brief in support of a recent U.S. Supreme Court decision, cited by the sponsor of this legislation, which reaffirms that the 2nd amendment reserves to individuals the right to keep and bear arms for self-defense. Even those cases, however, acknowledge that "longstanding prohibitions on the possession of firearms by felons and the mentally ill, or laws forbidding the carrying of firearms in sensitive places such as schools and government buildings, or laws imposing conditions and qualifications on the commercial sale of arms" are not contrary to the rights guaranteed by the 2nd amendment. *District of Columbia v. Heller*, 554 U.S. 570 at pages 54-55 (2008) (Emphasis added).

The Board of Regents currently has a reasonable policy of allowing hunting rifles to be brought on campus and stored in secure campus gun lockers where the weapons can be checked in and out for hunting and target practice off campus. The current policy mirrors that adopted by many private and public campuses across the United States of America. Our campuses have trained security and police officers to protect those on campus. Policies and training exists on our campuses to help keep students safe.

Finally, Article X, Section 9(2)(a) of the Montana Constitution vests the Board of Regents with a high degree of independence and autonomy subject only to the Legislature's power of appropriation. HB 240 may unconstitutionally intrude upon the authority of the Board to set its own common sense safety policies.

Recognizing my responsibility to the families of Montana and as the father of three young children, who will hopefully one day attend a university in Montana, I am vetoing HB 240.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana I hereby veto House Bill 265 (HB 265), "AN ACT GENERALLY REVISING CAMPAIGN FINANCE LAWS; REVISING WHEN FUNDS RECEIVED BY A CAMPAIGN MUST BE DEPOSITED; RAISING THE LIMITATION ON CONTRIBUTIONS TO A CANDIDATE FROM POLITICAL COMMITTEES AND INDIVIDUALS; RAISING THE LIMITATION ON AGGREGATE

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CONTRIBUTIONS THAT A CANDIDATE MAY RECEIVE FROM POLITICAL PARTY ORGANIZATIONS; REVISING THE DEFINITION OF "ELECTION" FOR THE PURPOSES OF DETERMINING CONTRIBUTION LIMITS; REVISING THE TIME AND TRIGGERING AMOUNT FOR FILING CERTAIN REPORTS OF CONTRIBUTIONS; RAISING THE AMOUNT OF AGGREGATE CONTRIBUTIONS THAT MUST BE RECEIVED FROM A CONTRIBUTOR BEFORE CERTAIN INFORMATION ABOUT THE CONTRIBUTOR MUST BE DISCLOSED; ELIMINATING THE LIMITATION ON AGGREGATE CONTRIBUTIONS THAT CERTAIN CANDIDATES MAY RECEIVE FROM POLITICAL COMMITTEES; AMENDING SECTIONS 13-37-207, 13-37-216, 13-37-226, AND 13-37-229, MCA; AND REPEALING SECTION 13-37-218, MCA."

The Legislature had an opportunity, through Senate Bill 375 (SB 375), to enact meaningful campaign finance reform by clarifying Montana law to shine light on the dark money expenditures that have contaminated elections in Montana. In supporting that bill, I was willing to accept increases in campaign contribution limits as a compromise, believing that it would increase the chances of attracting enough votes to overcome the vested interests of those who wish to protect individuals and groups who operate in the shadows. That compromise did not work; the Legislature failed to enact SB 375.

Without the kinds of reforms included in SB 375, I do not believe HB 265's increases in campaign contribution limits, or the elimination of the aggregate limit on Political Action Committee (PAC) contributions in legislative races, are in the best interests of our State. Candidates for our state and local elections are able to raise sufficient funds to run effective, competitive campaigns. The percentage of donors who contribute the maximum allowable amounts is relatively low, indicating that the vast majority of donors do not feel constrained by current limits. And, the limits are statutorily adjusted for inflation. In short, we in Montana are fortunate that our candidates for public office can still get elected through door-to-door, face-to-face contact with voters. Increasing the amount of money in our elections will only serve to further elevate the importance of fundraising and media campaigns, while diminishing the voices of everyday Montanans who wish to support their chosen candidates.

It would not be good policy to increase contribution limits without also securing the transparency and accountability ensured by effective campaign finance disclosure laws. Because the Legislature refused to strengthen our disclosure laws, I cannot sign HB 265 into law.

For these reasons, I veto HB 265.

Sincerely,

STEVE BULLOCK
Governor

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May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 297 (HB 297), "AN ACT MAKING EMPLOYMENT OF UNAUTHORIZED ALIENS UNLAWFUL UNDER STATE LAW; REQUIRING EMPLOYERS TO VERIFY EMPLOYMENT ELIGIBILITY; PROVIDING ENFORCEMENT PROCEDURES AND PENALTIES; PROVIDING FOR THE SUSPENSION OF BUSINESS LICENSES OF EMPLOYERS WHO EMPLOY UNAUTHORIZED ALIENS; PROVIDING THAT AN EMPLOYER HAS NOT UNLAWFULLY HIRED AN UNAUTHORIZED ALIEN IF THE EMPLOYER VERIFIES THE ALLEGED UNAUTHORIZED ALIEN'S EMPLOYMENT STATUS THROUGH THE FEDERAL EMPLOYMENT AUTHORIZATION PROGRAM OR OTHER APPLICABLE FEDERAL LAW; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 1-1-411, MCA; REPEALING SECTION 39-2-305, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

House Bill 297 creates a process through which the State of Montana Department of Justice must investigate complaints that a Montana business has hired an alien unauthorized to work in the United States, conduct hearings, and in some instances appear in state district court. The bill also establishes penalties for businesses that hire unauthorized aliens, up to and including suspension of their business license for 10 days. The process established by the bill is complex, and is estimated to cost \$139,984 in fiscal year 2014, \$217,845 in fiscal year 2015, \$221,113 in fiscal year 2016, and \$224,429 in fiscal year 2017.

HB 297 is costly, duplicative of existing federal and state law, and likely to harm Montana businesses. Although the bill is estimated to cost nearly \$1 million in the next four years and necessitate the creation of a new bureaucracy within the Montana Department of Justice, the Legislature failed to appropriate any money for its implementation. HB 297 is thus a burdensome and unfunded mandate.

Further, it is the federal government that is tasked with investigating and enforcing the federal laws which already prohibit the hiring of unauthorized aliens. The U.S. Immigrations and Customs Enforcement division of the Department of Homeland Security maintains several offices in Montana, as well as a tip line for those who suspect a business is employing unauthorized aliens. Federal law provides for the investigation and resolution of those claims. The bill would duplicate and may interfere with federal enforcement of federal law. It could also subject businesses to double penalties levied by both the state and federal governments.

Finally, the bill provides that anyone suspecting that a business has hired unauthorized aliens may

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submit a complaint to the Montana Department of Justice. Such complaints could well be groundless based on racial profiling rather than on facts. Baseless complaints can harm the reputation of a business, and require the hiring of legal counsel to defend against. The costs to businesses under this bill could be significant.

State law already prohibits the employment of aliens not authorized to work in the United States, and provides for lawsuits and fines to enforce the law. §39-2-305, MCA. Extensive federal laws and procedures exist for the same purpose. HB 297 is unnecessary and costly to both state government and private businesses.

For these reasons, I veto HB 297.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 301 (HB 301), "AN ACT INCREASING THE DEBT LIMIT FOR AN ELEMENTARY DISTRICT, A K-12 DISTRICT, OR A HIGH SCHOOL DISTRICT; AMENDING SECTIONS 20-9-406 AND 20-9-407, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 301 seeks to increase the debt capacity of school districts by 100 percent. This is in addition to the new debt structures made available as well as the alterations in Guaranteed Tax Base Aid (GTB) payments through the passage of Senate Bill 175 (SB 375).

After listening to proponents, the primary focus of HB 301 was to address impacts associated with new development in and around oil and gas producing school districts as well as to accommodate anticipated future growth. An incremental approach to debt issuance is advisable in order to maintain the strong financial position of the state. It is appropriate to give impacted districts the option to use the new oil and natural gas revenue bonds created in SB 175 and to allow the new reappraisal values required by 15-7III, MCA, to be implemented in the 2015 Legislature before doubling the capacity to create new debt and ask for additional property tax levies. It is only reasonable to ensure that these new debt structures be given time to work prior to the doubling of allowable bonded debt service maximums.

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If these new tools are not sufficient, I am committed to reevaluating a more modest version of this proposal during the 2015 Legislative Session.

For these reasons, I veto HB 301.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 408 (HB 408), "AN ACT REDUCING THE TAX RATE FOR CERTAIN AIR AND WATER POLLUTION CONTROL EQUIPMENT FOR PROPERTY TAX PURPOSES; PROVIDING A REIMBURSEMENT TO LOCAL GOVERNMENTS AND TAX INCREMENT FINANCING DISTRICTS UNDER THE ENTITLEMENT SHARE PAYMENT, TO SCHOOL DISTRICTS THROUGH THE BLOCK GRANT PROGRAM, TO COUNTY SCHOOL RETIREMENT AND COUNTY TRANSPORTATION REIMBURSEMENT, AND TO THE MONTANA UNIVERSITY SYSTEM THROUGH SUPPORT OF PUBLIC EDUCATION INSTITUTIONS FOR THE LOSS OF CLASS FIVE REVENUE; AND AMENDING SECTIONS 15-1-121, 15-6-135, 20-9-501, AND 20-10-146, MCA."

HB 408 reduces the Class 5 tax rate (§ 15-6-135, MCA) for certified air and water pollution control equipment from the current rate of 3 percent to 2 percent in tax year 2015, 1.5 percent in tax year 2016, and 1 percent in tax year 2017. HB 408 also provides for a reimbursement for the local taxes lost as a result of the tax reductions pursuant to § 15-6-135, MCA, that otherwise would have been generated if the tax rate had remained at 3 percent.

If the tax rates for pollution control equipment are reduced as HB 408 proposes, the impact to the state general fund is significant. It is estimated that the reduction associated with the lowering of the tax rate and the reimbursement to local government will cost the general fund \$3,045,108 in FY 2016, \$4,709,266 in FY 2017, and \$6,473,648 in FY 2018. Those reductions, which are likely to grow each fiscal year, will continue into future years and will impair future Legislatures' flexibility in budgeting and may create long-term fiscal imbalance.

HB 408 delays implementation of the tax reductions for pollution control equipment, to begin in tax year 2015. The effect of the delay provides structural balance for this biennium, but saddles future

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Legislatures with potential revenue shortfalls.

The budget I proposed was balanced, left money in the bank for a rainy day, cut taxes for small businesses and homeowners, and maintained critical services. At the same time I laid out clear and basic expectations for the Legislature while considering the state budget. First, Montana's budget needs to be in structural balance -we cannot spend more than we take in. Second, to ensure sound fiscal management, the Legislature needs to maintain a reserve of \$300 million in ending fund balance. Finally, essential services and long-term liabilities must be addressed before the Legislature creates new programs or tax expenditures.

Therefore, for reasons of fiscal responsibility, I veto HB 408.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 473 (HB 473), "AN ACT GENERALLY REVISING HEALTH CARE PROVIDER AND HEALTH CARE FACILITIES LIEN LAWS; EXPANDING LIENS TO INCLUDE OPTOMETRISTS, PODIATRISTS, REHABILITATION FACILITIES, AND LONG-TERM CARE FACILITIES; REQUIRING NOTICE TO ALL KNOWN PAYERS WHEN AN ACTION IS COMMENCED AND A NOTICE OF LIEN IS FILED; AMENDING SECTIONS 71-3-1111, 71-3-1112, 71-3-1114, 71-3-1115, 71-3-1116, 71-3-1117, AND 71-3-1118, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 473 expands Montana's medical lien laws to include optometrists, podiatrists, rehabilitation facilities and long-term care facilities as providers entitled to assert a lien when their patients are injured through the fault of a third party or are the beneficiary of insurance. This aspect of HB 473 is appropriate, and if those changes were the only amendments to the medical lien laws, I would sign HB 473 without hesitation.

Unfortunately, however, HB 473 also includes amendments to Montana's medical lien laws that are inappropriate, unnecessary, and internally inconsistent. When a patient has health insurance, that patient is entitled under Montana law to receive the benefits of that health insurance, even if the patient also has a liability claim against a third party. Medical providers are entitled to assert liens

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for any unpaid medical bills. The amendments in Sections 3 and 5 of HB 473 would inappropriately allow providers to effectively demand direct payment from third party liability insurers. While such direct payments may be appropriate under some circumstances, they are not appropriate in others.

The amendments in sections 3 and 5 of HB 473 are unnecessary. Montana's current lien laws give providers sufficient protection and the ability to enforce their liens.

Finally, section 3 of HB 473 contains internally inconsistent provisions in subsections (2)(b) and (3), with respect to the priority of attorney liens. Subsection (2)(b) provides that direct payment to a provider fully satisfies a lien, including an attorney lien, while subsection (3) provides that an attorney lien has priority over a medical lien. These contradictory provisions are likely to result in unnecessary and counterproductive conflicts and potential litigation.

For these reasons, I veto HB 473.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 535 (HB 535), "AN ACT GENERALLY REVISING LAWS RELATED TO STATE LAND CABIN AND HOME SITES; REQUIRING THAT VALUATION OF IMPROVEMENTS MUST BE DETERMINED THROUGH AN INDEPENDENT THIRD PARTY APPRAISAL; CLARIFYING THAT THE PROCEEDS FROM ANY SALE OF IMPROVEMENTS MUST GO TO THE OWNER OF RECORD OF THE IMPROVEMENTS; CLARIFYING THAT OWNERSHIP OF THE IMPROVEMENTS ON STATE LAND PROPERTY SOLD OR LEASED MUST REMAIN WITH THE OWNER OF RECORD UNTIL THE IMPROVEMENTS ARE SOLD OR UNTIL THE PROPERTY AND IMPROVEMENTS ARE SOLD TO ANOTHER PERSON; DEFINING "IMPROVEMENTS"; AMENDING SECTIONS 771-208 AND 77-6-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HB 535 addresses the ownership of improvements on cabin or home sites that are located on State Trust Lands. In the words of the sponsor, the bill "makes the law clear that owners of improvements of state-owned cabin site lots maintain ownership of their improvements until the lots are re-leased

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or sold or therefore the improvements are sold." However laudable this goal may be, as written HB 535 ties the hands of the state in regard to its trust responsibilities and is very likely to lead to litigation by advocates for the interests of trust beneficiaries.

All leases upon State School Trust Lands impose a fiduciary duty upon the state as a trustee to act in the best financial interests of the affected trust beneficiaries. A trustee must act with undivided loyalty to the trust beneficiaries.

HB 535 prevents the state from meeting its trust responsibilities by: limiting the authority of the Department of Natural Resources and Conservation (DNRC) to enforce lease payment requirements by eliminating the consequences of non-payment; allowing privately-owned improvements to trespass on trust land indefinitely with no compensation to the trust, and; limiting the DNRC's ability to manage trust lands responsibly by eliminating authority over structures upon lands leased as a cabin or home site.

For these reasons, I veto HB 535.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013
The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the Laws of the State of Montana, I hereby veto House Bill 564 (HB 564), "AN ACT REQUIRING A CLAIM AGAINST THE STATE OR A POLITICAL SUBDIVISION TO BE FILED IN THE COUNTY IN WHICH THE CLAIM AROSE; AND AMENDING SECTION 25-2-126, MCA."

HB 564 requires that legal actions filed against the state or its political subdivisions be filed exclusively in the county in which the claim arose. Under current law, such claims may be filed in the county in which the claim arises, or in Lewis and Clark County, the seat of state government in Montana. HB 546 eliminates the option to file suits against the state in Lewis and Clark County, if the claim did not arise there.

This bill is needless and costly. Under current law, nothing prevents a claimant from filing an action against the state in the county in which the claim arose. No showing was made during testimony on this bill that there is any problem with filing actions in Lewis and Clark County. In many instances, it simply makes the most sense to file a claim against the state in Lewis and Clark County, where much of state government is located. Under current law, plaintiffs are able to choose

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their venue in the first instance. Reducing the choices available to plaintiffs in litigation against the state serves no purpose.

Further, this bill comes to my desk without a fiscal note. It is obvious, however, that it will have an immediate and potentially large impact in driving up the costs of defending the state in legal actions.

For these reasons, I veto HB 564.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana I hereby veto House Bill 604, "AN ACT PROVIDING FOR A SELECT COMMITTEE ON MEDICAID INNOVATION, REFORM, AND EXPANSION; REQUIRING COMMITTEE REVIEW OF MEDICAID-RELATED LEGISLATIVE PROPOSALS; PROVIDING AN APPROPRIATION; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

The 63rd Legislature had multiple opportunities to enact legislation that included provisions to study and implement ways of improving the Medicaid program while expanding access to health care for up to 70,000 Montanans. A majority of legislators demonstrated their support for such legislation, but unfortunately, leadership in both houses and on a key committee prevented meaningful legislation from being enacted.

I have instructed the Department of Public Health and Human Services to immediately begin analyzing ways to improve and enhance the quality of our health care delivery system in the Medicaid program, and to identify ways to control costs. We intend to solicit input and involvement from stakeholders and experts so the state can begin implementing reforms.

The partisan manner in which the members of HB 604's select committee will be appointed does not suggest a constructive or productive process.

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For these reasons, I veto HB 604.

Sincerely,

STEVE BULLOCK
Governor

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 625 (HB 625), "AN ACT IMPLEMENTING PROVISIONS OF THE GENERAL APPROPRIATIONS ACT BY INCREASING THE RATE PAID TO PROVIDERS BY THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; AND PROVIDING AN EFFECTIVE DATE."

This bill seeks to direct, through statute, the Department of Public Health and Human Services implementation of provider rate increases. This is unnecessary. Provider rates are implemented through administrative rules which are adopted only after the Legislature has passed House Bill 2. I have already directed the department to begin processing the two percent rate increase and remain committed to implementing the two percent provider rate increase as proposed in my Executive Budget. There is no need for this legislation now and there is no need to set a precedent such as this. For these reasons, I veto HB 625.

Sincerely,

STEVE BULLOCK
Governor

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ADDENDUM
63RD LEGISLATURE

May 6, 2013

The Honorable Linda McCulloch
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary McCulloch:

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 633 (HB 633), "AN ACT PROVIDING FOR A SELECT COMMITTEE ON EFFICIENCY IN GOVERNMENT; PROVIDING FOR MEMBERSHIP AND DUTIES; PROVIDING AN APPROPRIATION; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

The 2011 Legislature created the first Select Committee on Efficiency in Government Interim Committee (Select Committee) and appropriated \$100,000 for the Select Committee to perform its work. After more than 18 months of meetings and work, the Select Committee introduced just five pieces of substantive legislation and one study bill during the 2013 legislative session. HB 633 proposes to continue the work of the Select Committee and appropriates another \$80,000 for that purpose.

HB 633 faced a bit of a rocky road reaching my desk and was actually tabled in Senate Committee on the basis that the work product of the Select Committee did not justify the associated costs. I tend to agree. A cost of close to \$20,000 per idea is too steep a tab for Montana taxpayers to pick up.

As I have previously stated, finding ways to provide a more effective government for Montana taxpayers is a top priority for my administration. I have asked Lieutenant Governor John Walsh to work with my Cabinet to find areas where we can improve the delivery of services to the public and reduce the costs associated with doing so.

While I appreciate the efforts of the Select Committee in this regard, I think the Lieutenant Governor can accomplish a similar mission at less cost to the State.

Sincerely,

STEVE BULLOCK
Governor

HOUSE JOURNAL
ADDENDUM
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May 7, 2013
The Honorable Mark Blasdel
Speaker of the House
State Capitol Helena, MT 59620

Dear Speaker Blasdel:

On Tuesday, May 7, I returned House Bill 184 Fiscus and House Bill 497 White to the Secretary of State without signature.

Sincerely,

STEVE BULLOCK
Governor